



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 05 2016

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Issue Contracts, Grants and Cooperative Agreements for Implementation of the Southeastern New England Coastal Watershed Restoration Program

FROM: Gina McCarthy

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over the "FROM:" line.

TO: H. Curtis Spalding, Region 1 Administrator

Temporary Delegation of Authority to Issue Contracts, Grants and Cooperative Agreements for Implementation of the Southeastern New England Coastal Watershed Restoration Program pursuant to Public Law 114-113, Consolidated Appropriations Act, 2016, Division G, Title II, Page 784.

1. **AUTHORITY.** To issue contracts, grants and cooperative agreements for implementation of the Southeastern New England Coastal Watershed Restoration Program pursuant to the provisions of the Consolidated Appropriations Act, 2016.
2. **TO WHOM DELEGATED.** Region 1 administrator.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. The authority may be redelegated to the office-director level and no further.
 - b. An official who redelegates authority is not divested of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest delegated authority. An official who redelegates authority may revoke such redelegation at any time.
5. **ADDITIONAL REFERENCES.** Division G, Title II of P.L. 114-113, Consolidated Appropriations Act, 2016.




THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 10 2015

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Issue Exceptions and Publish Exception Requests Pursuant to Section 608 of the Clean Water Act, Relating to the Use of American Iron and Steel

FROM: Gina McCarthy 

TO: Kenneth J. Kopocis, Deputy Assistant Administrator
Office of Water

I hereby delegate to the U.S. Environmental Protection Agency's assistant administrator for the Office of Water the authority to issue exceptions and publish exception requests pursuant to Section 608, Use of American Iron and Steel, provisions of the Clean Water Act until such time as a permanent delegation is secured.

Temporary Delegation of Authority to issue exceptions and publish exception requests pursuant to Section 608 of the Clean Water Act.

- 1. AUTHORITY.** To issue exceptions to any state Clean Water State Revolving Fund under Section 608 of the Clean Water Act and to publish exception requests.
- 2. TO WHOM DELEGATED.** The authority is delegated to the assistant administrator for the Office of Water.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION.**
 - a. The authority may be redelegated to the division-director level and no further.
 - b. An official who redelegates authority is not divested of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest of delegated authority. An official who redelegates authority may revoke such redelegation at any time.
- 5. ADDITIONAL REFERENCES.**
 - a. Section 608 of the Clean Water Act 33 USC §1388.




THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 10 2015

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Issue Exceptions and Publish Exception Requests Pursuant to House Joint Resolution 124, the Continuing Appropriations Resolution, 2015, and Other Continuing Resolutions or Statutes Relating to the Use of American Iron and Steel

FROM: Gina McCarthy 

TO: Kenneth J. Kopocis, Deputy Assistant Administrator
Office of Water

I hereby delegate to the U.S. Environmental Protection Agency's assistant administrator for the Office of Water temporary authority to issue exceptions and publish exception requests pursuant to House Joint Resolution 124, the Continuing Appropriations Resolution, 2015. This continuing resolution extends Section 436, Use of American Iron and Steel, provisions of the Consolidated Appropriations Act, 2014, Public Law 113-76. The temporary delegation of authority will remain in place for the time period covered by the continuing resolution and any other continuing resolutions or statutes that use the same language as Section 436 of the Consolidated Appropriations Act, 2014, until that condition is no longer statutorily mandated.

Temporary Delegation of Authority to issue exceptions and publish exception requests pursuant to House Joint Resolution 124, the Continuing Appropriations Resolution, 2015, which extends Public Law 113-76, the Consolidated Appropriations Act, 2014, Section 436.

1. AUTHORITY. To issue exceptions to any state's Drinking Water State Revolving Fund and publish such exception requests pursuant to House Joint Resolution 124, the Continuing Appropriations Resolution, 2015, and any other continuing resolutions or statutes that use the same language as Section 436, Use of American Iron and Steel, provisions of the Consolidated Appropriations Act, 2104, until that condition is no longer statutorily mandated.

2. TO WHOM DELEGATED. The authority is delegated to the assistant administrator for the Office of Water.

3. LIMITATIONS. None.

4. REDELEGATION.

a. The authority may be redelegated to the division-director level and no further.

- b. An official who redelegates authority is not divested of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest delegated authority. An official who redelegates authority may revoke such redelegation at any time.

5. ADDITIONAL REFERENCES.

- a. Section 436 of P.L. 113-765, Consolidated Appropriations Act, 2014
- b. H.J. Res. 124, the Continuing Appropriations Resolution, 2015
- c. Section 608 of the Clean Water Act, 33 U.S.C. 1388



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 25 2012

THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Approval of Temporary Delegation of Authority to Propose a Rule Approving or Disapproving Certain Aquifer Exemptions in Wyoming

FROM: Lisa P. Jackson

TO: James B. Martin, Region 8 Administrator

I hereby grant you temporary delegated authority for the Office of Water Temporary Delegation of Authority to propose a rule approving or disapproving the certain aquifer exemptions in Wyoming identified by the Wyoming Department of Environmental Quality's underground-injection control program.

1. **AUTHORITY.** To take all necessary actions to propose a rule approving or disapproving several aquifer exemptions that together constitute a substantial revision to the Wyoming Department of Environmental Quality's underground injection control program under the Safe Drinking Water Act, Part C, and 40 CFR Part 145.32(b)(3), including, but not limited to, providing an opportunity for a public hearing.
2. **TO WHOM DELEGATED.** Region 8 administrator.
3. **LIMITATIONS.**
 - a. The Regional administrator must obtain the concurrence of the assistant administrator for the Office of Water, or his or her designee, before exercising this authority.
 - b. The Regional administrator must obtain the concurrence of the regional counsel before exercising this authority.
 - c. This authority does not include the authority to issue a final rule approving or disapproving aquifer exemptions that together constitute a substantial revision to the Wyoming Department of Environmental Quality's underground-injection control program.
 - d. This authority is limited to proposing a rule to approve or disapprove Wyoming's identification of several exempted aquifers related to the Willow Creek in situ recovery of uranium site in Johnson County, Wyoming.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 1422(b), 1450(a)(2), and 1451 of the Safe Drinking Water Act
- b. 40 CFR Section 144.7 and 145.32(b).



Temporary Delegation of Authority

March 2, 2010

MEMORANDUM

SUBJECT: Temporary Amendment to Delegation 1-11 to Allow the Assistant Administrator for the Office of Administration and Resources Management (OARM) and the Regional Administrator in Region 10 to Enter into and Administer Interagency and Intergovernmental Agreements on behalf of the Agency

TO: Craig E. Hooks
Assistant Administrator
for Administration and Resources Management

Dennis J. McLerren
Regional Administrator, Region 10

I am temporarily amending Delegation 1-11 to provide you with Agency-wide authority to enter into interagency agreements between EPA and other federal agencies, and intergovernmental agreements between EPA and State, tribal or local governments (agreements), for the purpose of carrying out American Recovery and Reinvestment Act of 2009 and for other purposes which promote the efficiency of Agency operations. The limitations on your authority specified in subsections 3. a. and 3. b. of Delegation 1-11 are temporarily removed subject to the conditions specified below. You are also delegated the authority to perform such other activities as necessary for the effective administration of agreements entered into under this temporary amendment.

The Regional Administrator for Region 10 may enter into agreements only upon the request of a Regional Administrator, Assistant Administrator, Associate Administrator or his or her designee if such an arrangement will achieve Agency-wide efficiencies and there are adequate resources in Region 10 to manage the increased workload. The Assistant Administrator for OARM may enter into agreements only upon the request of a Regional Administrator or his or her designee if such an arrangement will achieve Agency-wide efficiencies and there are adequate resources in Headquarters to manage the increased workload. In addition, this authority must be exercised in accordance with applicable laws, regulations, and EPA policies and procedures, including those set forth in EPA Manual 1610, Interagency Agreements Policies, Procedures, and Guidance Manual, and EPA Interim Policy Notice 08-04, Interagency Acquisitions.

The authority in this temporary amendment to Delegation 1-11 may be redelegated as follows:

1. The authority to the Assistant Administrator for OARM may be redelegated through the Director, Office of Grants and Debarment to the Director, Grants and Interagency Agreement Management Division and thereafter, may be further redelegated within the Grants and Interagency Agreement Management Division to:
 - a. The Branch Chief;
 - b. The Associate Award Official, who may not redelegate the authority further; and
 - c. The Grant Specialist limited to take administrative non-monetary actions and who may not redelegate the authority further.
2. The authority to the Regional Administrator may be re-delegated to:
 - a. the Regional Grants Management Officer, and no further; and
 - b. The Grant Specialist limited to take administrative non-monetary actions and who may not redelegate the authority further.

This delegation supplements and supercedes any inconsistent provisions of EPA Delegation 1-11 and 40 C.F.R. § 1.61.

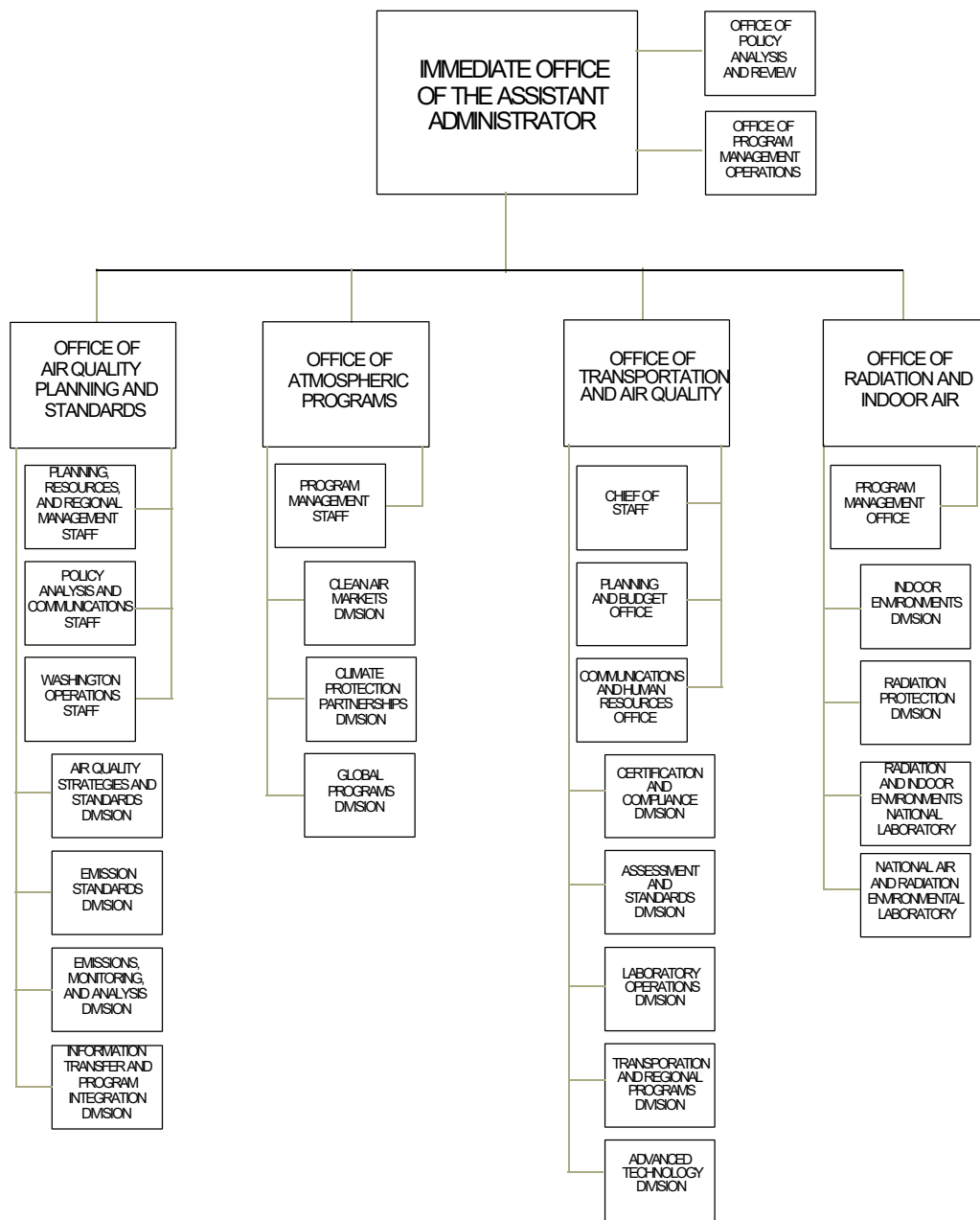
This temporary amendment of Delegation 1-11 will remain in effect until one year from the date of this amendment, unless extended or superseded by subsequent delegation.

□

Lisa P. Jackson

OFFICE OF AIR AND RADIATION (OAR)

OAR ORGANIZATIONAL CHART



OAR FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE ASSISTANT ADMINISTRATOR FOR AIR AND RADIATION.** The functions and responsibilities assigned to the Assistant Administrator for Air and Radiation and outlined hereafter are under the Assistant Administrator's supervision, and carried out by officials within the Office of the Assistant Administrator for Air and Radiation (OAR). The Assistant Administrator for Air and Radiation serves as principal advisor to the Administrator in matters pertaining to air and radiation programs, and is responsible for the management of these programs including: program policy development and evaluation; environmental and pollution sources standards development; program policy guidance and overview; technical support and evaluation of regional air and radiation program activities; development of technology transfer to States; and selected demonstration programs.
 - a. **OFFICE OF POLICY ANALYSIS AND REVIEW.** The Office of Policy Analysis and Review (OPAR) coordinates and review the analytical basis of all major OAR regulations and policies. It develops, formulates and carries out analytical studies, both in-house and through contracts, to support the policy decisions of the Assistant Administrator. It performs cost-benefit, economic and long-term environmental analysis in support of OAR long-term strategic planning; and reviews all major regulations and policies for the quality and consistency of their analytical support before they are submitted to the Assistant Administrator for a decision. Primary areas of concern are those regulations and policies identified by the Assistant Administrator as issues of major concern to OAR. OPAR works closely with the Office of Policy, Planning, and Evaluation and other analytical and policy organizations in EPA, other executive agencies, the States and the private sector. The Office works closely with the Legislative Analysis Division in the Offices of Congressional and-Legislative Affairs to provide Legislative analysis to the Assistant Administrator; works closely with the Office of Program Management Operations to assure that strategic resource allocations reflect Agency policy and priorities; and serves as a key contact point in the Immediate Office of the Assistant Administrator on technical issues relating to major regulations and policies.
 - b. **OFFICE OF PROGRAM MANAGEMENT OPERATIONS.** The Office of Program Management Operations (OPMO) serves as a point of liaison and coordination with the Office of Policy, Planning and Evaluation and the Office of Administration and Resources Management in the areas of priority setting, program planning, accountability, budget, financial management, and program tracking and evaluation. It makes recommendations to the Assistant Administrator with respect to budget formulation, program planning, resource analysis and control, program evaluation and tracking. The Office of Program Management Operations is also responsible for Federal Managers Financial Integrity Act compliance, accountability system tracking, including negotiation of OAR commitments and audit resolution. The Office is responsible for project control on behalf of the Assistant Administrator, with emphasis on the procedural compliance and timeliness of environmental standards and supporting regulations. It conducts national and regional evaluations for the Assistant Administrator to assure that OAR and regional offices are meeting agency priorities in a timely and efficient manner and pursues nonregulatory initiatives in support) of OAR goals. OPMO coordinates a program of regular regional offices reviews and evaluations, administers and monitors demonstration grants and management, security and inspections, data systems and general contracts, related to its functional responsibilities and serves as point of liaison and coordination with the Office of Administration and Resources Management in areas of contracts services. It also works with OAR's offices to which it supplies management information, evaluation results, and reports, to assure the resource allocation process reflects Agency policy and priorities of the Assistant Administrator, and performance of recipients.
2. **OFFICE OF AIR QUALITY PLANNING STANDARDS.** The Office of Air Quality Planning and Standards (OAQPS) under the supervision of a Director is responsible to the Assistant Administrator for Air and Radiation. The Director is responsible for developing national standards for air quality; emissions standards for hazardous pollutants; developing national programs, technical policies, regulations, guidelines, and criteria for air pollution control; assessing the national air pollution control program and the success in achieving air quality goals; providing assistance to the States, industry and other organizations through personnel training and technical information. The Office is responsible for providing technical direction and support to regional offices and other organizations; evaluating regional programs with respect to State Implementation Plans and

strategies, technical assistance, and resource requirements and allocations for air related programs; developing and maintaining a national air programs data system, including air quality emissions and other technical data; and providing effective technology transfer through the translation of technological developments into improved control program procedures.

- a. **PLANNING, RESOURCES, AND REGIONAL MANAGEMENT STAFF.** The Planning, Resources, and Regional Management Staff manages the development of program goals, objectives and plans and develops systems for monitoring and assessing program progress, including Headquarter, Regional, State & local resource and program management systems. It manages program resources, including budget, contracts, and human resources, and coordinates cross-cutting administrative support services. It also facilitates communication between OAQPS and Regions, States and local agencies on program issues. Specifically, the staff: manages long-range and strategic planning processes; develops and manages OAQPS portions of Headquarters and Regional program progress tracking systems [e.g., Program Specific Guidance, Memorandums of Agreement (MOA)]; manages budget formulation and execution for OAQPS portions of Headquarters & Regional resources and State grants; facilitates communication and cooperation between OAQPS and Regional offices and States and local agencies on resource, planning, and program issues; coordinates regional program reviews; Coordinates Office-wide human resource initiatives (e.g., training, development, human resource mini-council); coordinates OAQPS contracts and other extramural resource management processes and ensures that adequate fiscal controls are maintained; and manages office-wide administrative support services.
- b. **POLICY ANALYSIS AND COMMUNICATIONS STAFF.** This staff is responsible for: cross-cutting, policy coordination, OAQPS-wide outreach efforts; and Congressional testimony and investigation coordination.
- c. **WASHINGTON OPERATIONS STAFF.** This staff is responsible for representation/coordination activities within the District of Columbia and communication on program and policy issues.
- d. **AIR QUALITY STRATEGIES AND STANDARDS DIVISION.** The Air Quality Strategies and Standards Division (AQSSD) develops national and geographically focused strategies and programs for air quality management based on assessments of health and ecological effects, exposure and risk, and economic impacts and benefits. Such assessments support the development of criteria pollutant ambient standards under Section 109 of the Clean Air Act (CAA), programs and emission standards under Sections 111 and 112, and the integration of various aspects of the criteria pollutant and hazardous air pollutant programs in coordination with other OAQPS divisions. More specifically, the Division manages the review and revision of NAAQS and develops attainment and maintenance strategies, policies, and implementation programs under Part D of Title I, to guide the implementation efforts of the EPA Regional Offices and State and local agencies. With respect to the hazardous air pollutant program, the Division conducts health and environmental effects evaluations in support of emission standards development, characterizes the nature and magnitude of the air toxics problem in the U.S., and develops air toxics strategies. The Division serves as program source for expertise on health and ecological effects and the analysis of exposure and the risks associated with exposure to criteria and toxic air pollution. The Division also serves as program source for expertise on benefits assessments and economic and regulatory impact analyses, including impacts on small entities and environmental justice, and economic incentive programs. It conducts such analyses in support of OAQPS-wide standards, rules, and strategies, as well as in conjunction with Agency-wide assessments. Through its guidance, the Division develops and promotes the application of innovative, incentive-based regulatory strategies. The Division establishes and maintains cooperative working relationships with Regional, State, and local agencies, as well as selected stakeholders (industry, environmental groups, etc.) to facilitate effective development and implementation of regulations, policies, and guidance. It also works closely with other OAQPS Divisions and EPA offices to ensure integration of rules, policies, and guidance to facilitate effective implementation.
- e. **EMISSION STANDARDS DIVISION.** The Emission Standards Division (ESD) is responsible for establishing emission standards (under Section 112 of the Clean Air Act) and managing federal programs for nationwide control of hazardous and criteria pollutant emissions from stationary sources. The Division develops and implements emission standards for hazardous and criteria air pollutants, new source

performance standards, control technique guidelines, hazardous waste standards under the Resource Conservation and Recovery Act (RCRA) alternative control techniques documents, and guidance for implementing standards at the State and local level. It also conducts comprehensive studies of stationary source categories to determine the nature and magnitude of air pollution emissions, control methods, operational and administrative procedures, and economic aspects of control. The Division is responsible for providing technical assistance to other Divisions in OAQPS, other offices in EPA, State, and local agencies, small and large businesses, international organizations, and the public on effective control technologies and associated costs. It develops overall plans, strategies, and policies addressing regulatory programs for stationary sources of air toxics and criteria pollutants and new, innovative, and streamlined approaches to regulatory development (including coordinated strategies for co-control of hazardous and criteria air pollutants). Finally, the Division establishes and maintains cooperative working relationships with Regional, State, and local agencies, as well as selected stakeholders (industry, environmental groups, etc.), to facilitate effective development and implementation of regulations and guidance.

- f. **EMISSIONS, MONITORING, AND ANALYSIS DIVISION.** The Emissions, Monitoring, and Analysis Division (EMAD) is responsible for directing a national program of scientific and technical policy and guidance for EPA Headquarters, Regional Offices, and State and local agencies, in air quality monitoring and modeling, control strategy demonstrations, and emissions measurement. In particular, the Division: develops and distributes guidelines for air quality models and provides technical assistance in applying the models; develops and distributes guidance on air quality and source monitoring; establishes air quality indicators of progress, analyzes air pollution trends, and distributes information on progress in reaching air quality goals; conducts control strategy demonstrations, source monitoring, and ambient monitoring for OAQPS; develops new methods for ambient monitoring and modeling and develops and issues guidance and training materials to apply them; develops emission factors and provides technical guidance on emission inventories; and, conducts source testing and develops new source test methods for use by Regional, State, and local clients. The Division analyzes air quality data for use in program evaluation and coordinates development and use of emission inventories in program evaluation. It promotes the integration and simplification of information and data management systems. It also serves as a source of technical expertise for OAQPS and provides technical support to Regional, State, and local clients on source testing and methods. Two major publications of the Division, released annually, describe the current status and multi-year trends in emissions and ambient levels of air pollutants.

- g. **INFORMATION TRANSFER AND PROGRAM INTEGRATION DIVISION.** The Information Transfer and Program Integration Division (ITPID) serves as the principal focus for management and transfer of air pollution control information and the integrated implementation of OAQPS programs, including operating permits. In carrying out these functions, the Division manages design, development, maintenance, and evaluation of information systems, hardware, software, and other means of distributing key air pollution control information to government and non-government clients and the public at large. The Division also develops and delivers training courses and educational materials on various technical and management aspects of air pollution control to EPA, State, local, industry, and other relevant clients and assists other OAQPS and air program offices to conduct technical training workshops and transfer critical guidance and information to program clients. In cooperation with other Divisions and programs, the Division promotes the integration and simplification of information delivery and data management systems. The Division manages and assures the integration of the national air quality permit programs, including operating permits, new source review, and prevention of significant deterioration. In addition, the Division manages the implementation and integration of air toxics programs with operating permit programs to assure programs' requirements merge as smoothly as possible. The Division also assists the air programs which cut across Division, Office, and Agency lines, providing review of strategies and participating in the design of program improvements.

3. **OFFICE OF ATMOSPHERIC PROGRAMS.** The Office Of Atmospheric Programs (OAP) manages air programs of a cross-cutting nature, and serves as the EPA office responsible for the climate change, stratospheric protection and acid rain programs. Other specific OAP responsibilities include:

- ! Leading intra- and interagency activities concerning climate change, stratospheric ozone protection, and acid rain.
- ! Developing, formulating, and carrying out both short and long-term studies and programs to address climate change, stratospheric ozone protection, and acid rain issues.
- ! Serving as the principal point of contact in the Agency for associations, States and local governments and industries related to the programs managed by the Office and providing technical assistance to these outside groups.
- ! Regarding State and local governments, working through the Regions on regulatory and implementation issues.
- ! Administering and monitoring demonstration grants and contracts related to programs managed by the Office and supporting the Agency's educational and outreach efforts related to the program areas managed by the Office.
- ! In all program areas, working closely with staff from DOE, NASA, NOAA, DOI and others to develop coordinated, responsive, and cost-effective strategies for dealing with these important air pollution issues.

a. **PROGRAM MANAGEMENT STAFF.** The major functions of this organization are the following:

- ! Prepares and coordinates office-wide work plans, management plans, and any necessary new or revised program plans.
- ! Exercises oversight control, and makes recommendations to the Office Director on budget formulation, operating plan development, and budget execution; financial management; and work year controls.
- ! Ensures consistency and coordination in the development and application of financial and management policies.
- ! Manages internal control processes with responsibility for all issues related to financial integrity, fraud prevention, and audit coordination.
- ! Responsible for office's compliance with the Federal Manager's Financial Integrity Act, conflict-of-interest, and ethics requirements.
- ! Manages the office's strategic planning and evaluation activities, including program goals, priorities, objectives, and plans; coordinates the office's input to the annual EPA accomplishment report, annual operating guidance, and the EPA Strategic Plan.
- ! Serves as liaison and coordinator for activities in human resource management, including planning, oversight and evaluation of personnel allocations, diversity of workforce analysis and recruitment strategies and performance management.
- ! Serves as liaison and coordinator for activities in contracts and assistance agreement management.
- ! Coordinates office's involvement in information resources planning and integration; develops and maintains management processes to ensure that office's use of information resources conform to EPA requirements.
- ! Plans, coordinates and implements services dealing with requests for new (and modifications to existing) space for the Office.
- ! Represents the Office Director at intra-EPA and interagency activities having program or planning significance.
- ! Handles special projects/studies, as required by senior management.

- b. **CLEAN AIR MARKETS DIVISION.** The major functions of this organization include the following:
- ! Coordinates and implements all EPA Acid Rain Program activities developed under Title IV of the Clean Air Act
 - ! Implements NO_x Budget Trading Program to reduce regional, ground-level ozone
 - ! Applies experience developing and implementing SO₂ and NO_x emission reduction programs for acid rain and ozone to other environmental problem, such as climate change.
 - ! Responsible for advising U.S. policy makers on domestic and international emissions trading issues and for building international understanding and capability to run emissions reduction programs.
 - ! Performs technical analyses, including the analysis of energy supply systems, makes recommendations based on the results of the analysis, and incorporates the results in the design of regulatory programs.
 - ! Assists other offices within EPA as well as Federal, State, and local regulatory agencies in the development and implementation of market-based approaches for emission reduction.
 - ! Ensures that emissions are accurately and cost-effectively measured and reported.
- c. **CLIMATE PROTECTION PARTNERSHIPS DIVISION.** The **Climate Protection Partnerships Division** (CPPD) is responsible for implementing the Agency's partnership programs designed to reduce the risks of global warming as part of the Climate Change Technology Initiative. Specific CPPD responsibilities include:
- ! Operating partnership programs across key economic sectors, which include energy supply, agriculture, and residential, commercial, institutional, and industrial buildings.
 - ! In each of the economic sectors, attaining emissions reduction goals by identifying, developing and promoting profitable options for reducing greenhouse gas emissions.
 - ! Promoting energy efficiency by educating building owners, designers, retailers, manufacturers, and consumers on the environmental and economic benefits of energy efficient products (e.g., lighting, computers, motors, appliances, heating/cooling systems, and other electrical machinery), energy efficient homes, and energy efficient buildings.
 - ! Breaking down market barriers that limit investment in methane reducing technologies.
 - ! Using expertise developed within these programs to improve the understanding of the costs and benefits of particular greenhouse gas reducing technologies and well as of the partnership programs as a policy approach.
 - ! Improving methods for estimating emissions of greenhouse gases, particularly the non-combustion related greenhouse gases.
 - ! Addressing the technical and policy issues related to sequestration.
- d. **GLOBAL PROGRAMS DIVISION.** The **Global Programs Division:**
- ! Manages implementation of programs to protect the ozone layer, including requirements under the Montreal Protocol and Title VI of the Clean Air Act.
 - ! Manages EPA's review of substitutes for ozone-depleting substances and efforts to develop and implement voluntary programs that reduce emissions of high global warming potential gases.

! Manages EPA's contribution to the Multilateral Fund.

! Oversees and coordinates developing country technology transfer and infrastructure building programs, including those programs related to both ozone layer protection and climate change.

! Oversees the development and implementation of adaptation programs that identify and address the risks associated with global warming and stratospheric ozone depletion.

! Manages activities related to science communication and outreach related to the science and impacts of climate change and ozone depletion.

! Develops and implements programs related to capacity building for state and local governments related to climate change.

BACKGROUND AND SUPPLEMENTAL INFORMATION — The Division Director's immediate office will manage all international negotiations and activities related to the Montreal Protocol, including the development and delivery of positions for all meetings under the Montreal Protocol and its Multilateral Fund, and decisions related to the use/payment of Multilateral Fund funding.

4. **OFFICE OF TRANSPORTATION AND AIR QUALITY.** OTAQ is responsible for reconciling transportation and air quality by: characterizing emissions from mobile sources and related fuels; developing programs for their control, including assessment of the status of control technology and in-use vehicle emissions; carrying out a regulatory compliance program to ensure adherence of mobile sources to standards in coordination with the OECA; fostering the development of State and local programs to reduce emissions and achieve sustainable transportation systems through voluntary programs aimed at reducing vehicle miles traveled; and implementing programs for the integration of clean-fueled vehicles and engines into the transportation system.
 - a. **ADVANCED TECHNOLOGY DIVISION.** The Division is responsible for: all automotive technology development programs related to the reduction of both conventional and greenhouse pollutants; development of new and emerging technologies, such as Clean Car (Partnership for a New Generation of Vehicles), Durable Vehicle, Low NOx Diesel engines, Alternative Fuel Technologies; evaluation of advanced emission control technologies; in-house development and evaluation, as well as the funding and management of external research; and integrating the results of its work on emerging technological approaches into the programs of other divisions, as requested, particularly on regulatory programs with strong technological basis or with implications for energy/climate change.
 - b. **ASSESSMENT AND STANDARDS DIVISION.** The Division is responsible for standard-setting, Federal rulemaking, and national policy development for vehicles, engines, fuels, and non-road sources. These responsibilities include: developing and implementing programs to reduce emissions from fuels, vehicles, engines and engine systems like heavy-duty on-highway engines, nonroad engines, marine engines, locomotives, and aircraft; conducting the full range of technology and program development functions; conducting programs to evaluate new vehicle, engine and emission control technologies; the development of test procedures, assessment of technology issues, conducting environmental and economic impact assessments, and development of regulations or other enabling programs to reduce emissions; and preparing and implementing outreach and public education initiatives to support the success of emission control programs. The Division is also responsible for providing EPA Regional Offices and state and local air quality and transportation planning agencies with computer models and other technical and policy guidance for the preparation of emission inventories; providing other OTAQ units and the OTAQ Director with similar information and related analyses, services, and products; developing and providing user-friendly information about emissions from mobile sources to the public.
 - c. **TRANSPORTATION AND REGIONAL PROGRAMS DIVISION.** The Division is responsible for the development and implementation of programs that are required by the Clean Air Act to be included in the State Implementation Plans to address the impact of in use vehicles and transportation systems on clean air. In addition, the Division fosters voluntary sustainable transportation initiatives and state and local programs

aimed at reducing vehicle miles traveled. The Division conducts outreach activities and voluntary programs to support emissions reductions in the above areas. The Division is also responsible for: assuring compliance with national programs which reduce air pollution from highway and nonroad sources through fuel and fuel-related emissions controls; providing fuel-related support to other divisions within OTAQ, as well as other EPA offices, Federal and state organizations, and other external groups; implementing compliance programs and incentive policies in coordination with the Office of Enforcement and Compliance Assurance; reviewing applications for fuel waiver requests; and assuring compliance with the Fuel/fuel additive health effects registration programs.

- d. **LABORATORY OPERATIONS DIVISION.** The Division is responsible for the complete range of tasks required to provide the necessary laboratory testing at the National Vehicles and Fuel Emission Laboratory support of the OTAQ programs; provide emissions testing services for the motor vehicle, heavy duty, and non-road engine programs which include certification, fuel economy, in-use compliance and special testing programs to support rule-making, enforcement actions and procedures development; analyze fuel and fuel additives in support of the fuels enforcement programs; perform chemical analyses of certain exhaust compounds; designs and conducts, in collaboration with the other OTAQ divisions, special fueling testing programs to support rule-making, enforcement actions, and procedures development; and conducting correlation activities with other governmental and industry emission test facilities on a nationwide and international basis on the form of evaluation and diagnostic testing and technical consultation. The Division is also responsible for delivering administrative and support services which are critical to our programmatic goals. These services include: computer and information management, network administration, purchasing, safety, quality assurance, and facilities.
 - e. **CERTIFICATION AND COMPLIANCE DIVISION.** The Division is responsible for: conducting a full range of compliance program implementation activities; ensuring that vehicles, engines, and non-road sources meet relevant emission standards throughout their service life like pre-production certification and assembly-line testing and recall programs; addressing such vehicle emission-related issues such as tampering and after-market parts identification, manufacturers' warranties, and importing vehicles; undertaking activities related to the assessment and improvement of the in-use performance of vehicles; preparing and implementing outreach and public education initiatives to support the success of the compliance programs; implement regulations and programs within the Agency's fuel economy program including: determination of the "EPA estimated gas mileage" which is used in advertising and must be affixed to the window of each new vehicle; preparation of the annual Gas Mileage Guide; development and maintenance of fuel economy databases; calculation of each manufacturer's corporate average fuel economy (CAFE); and identification of vehicles subject to a gas guzzler tax.
5. **OFFICE OF RADIATION AND INDOOR AIR.** The Office of Radiation and Indoor Air (ORIA) is responsible for EPA's radiation and indoor air activities, including development of protection criteria, standards, and policies; works with other regulatory programs within EPA and other agencies to control radiation and indoor air exposures; provides technical assistance to States through EPA's regional offices and other agencies having radiation and indoor air protection programs; establishes and directs an environmental radiation monitoring program; evaluates and assesses the overall risk and impact of radiation and indoor air pollutants on the general public and the environment; and maintains liaison with other public and private organizations involved in environmental radiation and indoor air pollution protection activities. ORIA is also EPA's lead office for intra- and interagency activities coordinated through the Committee for Indoor Air Quality. It coordinates with and assists the Office of Enforcement in enforcement activities where EPA has jurisdiction. ORIA also disseminates information to educate the public about indoor air radiation health risks.
- a. **PROGRAM MANAGEMENT OFFICE.** The Program Management Office (PMO) serves as the principal office in matters related to strategic planning, budget planning, formulation and execution, acquisition management, human resources, administrative operations, and general management and organization issues for ORIA. In carrying out these functions, the staff coordinates the planning, budgeting, and reporting systems, develops policies, program plans, and makes recommendations for resource allocations for ORIA activities; establishes policy and operating procedures for the formulation and execution of the budget and all administrative matters; ensures that budget, planning and administrative policies are adhered to; tracks

outputs and deliverables to ensure they are in accordance with OAR, ORIA, and Agency directives and plans; monitors the extramural procurement process to ensure that procurement cutoff dates are met and Agency policies are adhered to; manages and provides expert advice on issues relating to recruitment, placement, classification, equal employment, training, and all other administrative services for ORIA.

- b. **INDOOR ENVIRONMENTS DIVISION.** IED is responsible for the non-regulatory programs within the Office of Radiation and Indoor Air. This Division incorporates activities on all indoor air pollutants, including radon and electromagnetic fields. IED protects public health by promoting healthy indoor environments and identifying and reducing health risks from indoor air pollutants radiation. Using the best science available, IED develops and disseminates information, guidance and solution-oriented technologies. IED serves as a catalyst for action by guiding research, using innovative and creative risk communication tools and building public/private partnerships. The goal of the Division is to ensure that air quality in all indoor environments will protect and promote human health and welfare. This is accomplished by establishing and prioritizing quantitative public health targets for indoor air contaminants using state-of-the-art scientific and policy analysis; developing and implementing an action plan to modify the legal, economic, and institutional arrangements through which indoor environments are created so that these arrangements enable and support improvements in indoor air quality; improving public awareness and support for indoor air quality and promote action by targeted public; obtaining commitments from manufacturers to create a steady improvement in products and technologies which affect indoor air quality; and developing data and information to fill existing knowledge gaps through scientific and technical studies, and by coordinating and guiding research.
- c. **RADIATION PROTECTION DIVISION.** The Radiation Protection Division (RPD) is responsible for formulating and recommending policies, criteria, and standards designed to protect the general public and the environment from ionizing radiation. It develops guidance designed to protect those standards and Federal guidance under the authority of the Clean Air Act, the Atomic Energy Act, as amended, and Reorganization Plan No. 3 of the 1970, and other Federal statutes. It evaluates human health and environmental risks from radiation exposure and provide a basic understanding of the biological effects of radiation. In support of standards and guidance development, conducts economic studies of alternative choices of controls and evaluates technology and processes to reduce exposure to radiation in the environment. It provides statistical and applied support to the standard setting function. The Division develops mathematical models of the environmental transport of radionuclides and develops emergency planning criteria and coordinates Agency support to other Federal agencies and the States. In developing standards, maintains liaison with recognized authorities and organizations in this field. For radionuclides, the Division's activities cover both regulatory and technical responsibilities for contaminated site clean-up. This includes guidance and/or regulations establishing criteria for the clean-up of radioactively contaminated sites and technical assistance and support to OSWER and other Federal agencies in their efforts to deal with the clean-up of radioactively contaminated sites. The involvement with site clean-up will include: coordination, facilitation, remediation, technology development/identification, development of assessment tools, and other forms of technical assistance. The Division is also responsible for development of a Waste Management Regulation (and/or guidance) to address the storage and disposal of radioactive and Mixed Waste (Rad Component). The Division is also tasked to develop international import standards which will establish radiation control levels for materials attempting to enter the U.S. The Division coordinates with Regional Offices on all the above functions.
- d. **NATIONAL AIR AND RADIATION ENVIRONMENTAL LABORATORY.** NARL conducts activities in support of the Headquarters components of the ORIA programs. The facility provides direct and indirect support to the development of standards and guidance; evaluates potential sources of the environmental contamination; develops technical reports to define the extent of the problems; provides analytical laboratory support for the Environmental Radiation Ambient Monitoring system and prepares summaries of the findings; provides capability for the evaluation and assessment of environmental radiation sources and through field studies; and makes independent measures as required. It provides technical evaluation for the environmental impact statement reviews. The Division has lead responsibility within EPA for providing capability for field measurement in emergency situations involving releases of radioactivity to the general environment. It provides technical support to Headquarters divisions of ORIA and other technical assistance to the States,

EPA regional offices, and other EPA programs in their radiation-related activities, and special laboratory support to other government agencies as required.

- e. **RADIATION AND INDOOR ENVIRONMENTS NATIONAL LABORATORY.** R&IE National Laboratory is responsible for evaluating and assessing environmental radiation sources, compliance demonstration activities, Waste Isolation Pilot Plan (WIPP) support, regulation development technical support, and indoor air and radon technical support to ORIA-Headquarters. The R&IE National Laboratory provides support on environmental issues to protect the public and the environment; conducts indoor air quality studies; manages EPA's radon instrument evaluation programs; oversees EPA's radon blind testing program; and develops and applies techniques for maintaining a continuous environmental radiation monitoring and public safety program in areas surrounding the sites of nuclear tests conducted by the Department of Energy (DOE). The R&IE National Laboratory serves in a lead role during EPA's response to radiological emergencies and accidents. The R&IE National Laboratory staff serve as key senior technical subject matter experts and field monitors in the Federal Radiological Monitoring and Assessment Center (FRMAC) and stand ready to be deployed anywhere in the world. Radiochemical methods are investigated as they relate to routine monitoring and quality assurance. The R&IE National Laboratory disseminates its scientific information through oral presentations, technical reports, membership in professional groups and through partnerships with other agencies and environmental groups. The R&IE National Laboratory is the lead field component of ORIA, providing unique scientific and technical support services to EPA Headquarters on radiation and indoor environments issues.

April 3, 2006

MEMORANDUM

SUBJECT: Temporary Delegation to Enter into Grants and Cooperative Agreements for Necessary Upgrades of Diesel School Bus Fleets

TO: Assistant Administrator for Air and Radiation
Regional Administrators

You are hereby delegated the authority to enter into grants and cooperative agreements relating to necessary upgrades of diesel school bus fleets pursuant to any public law which authorizes such grants and cooperative agreements (e.g., FY 2006 Interior, Environment and Related Agencies Appropriations Act, H.R. 2361) and in accordance with the following limitations:

This delegation is limited to the purposes stated above and may be exercised only within the limitations of applicable law and regulation.

1. Awards are subject to any guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, and the Office of Air and Radiation.
2. All cooperative agreements must be approved/awarded no later than March 31, 2007.
3. This authority may be redelegated by the Assistant Administrator for Air and Radiation to the Office Director level, or equivalent, and no further.
4. This authority may be redelegated by the Regional Administrator to the Air Program Director level, or equivalent, and no further.
5. This temporary delegation of authority will remain in effect until March 31, 2007, unless extended or superseded by a subsequent delegation.

/s/

Stephen L. Johnson
Administrator



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 17 2015

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Reclassify Certain Nonattainment Areas for the 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standards from Moderate to Serious

FROM: Gina McCarthy

A handwritten signature in dark ink, appearing to read "Gina McCarthy", is written over the printed name.

TO: Regions 8, 9 and 10 Administrators

I hereby grant temporary authority to each of you, in your capacity as regional administrator, to take action under Clean Air Act section 188(b)(1) to reclassify certain nonattainment areas currently classified as "Moderate" to "Serious" for nonattainment of the 2006 24-hour Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) within your respective regions, specifically, the nonattainment areas of Salt Lake City; Provo, Utah; and Logan, Utah, in Region 8; the nonattainment areas of San Joaquin Valley, California, and South Coast, California, in Region 9; and the nonattainment area of Franklin, Idaho, in Region 10. This temporary delegation shall remain in effect until after it is exercised for each such nonattainment area.

Temporary Delegation of Authority to Reclassify Certain Nonattainment Areas for the 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standards from Moderate to Serious

1. AUTHORITY.

To reclassify a PM_{2.5} nonattainment area to a higher classification under Clean Air Act section 188(b)(1).

2. TO WHOM DELEGATED. Regions 8, 9 and 10 administrators.

3. LIMITATIONS. The regional offices will consult with the Office of Air and Radiation and the Office of General Counsel before taking final action on PM_{2.5} reclassifications under Section 1.

4. REDELEGATION AUTHORITY. This authority may not be redelegated. I do not divest myself of the power to exercise this authority. I may revoke this delegation at any time.

5. ADDITIONAL REFERENCES. Sections 110(a)(2)(D)(i)(I), 110 (a)(2)(A), and 188 of the Clean Air Act, as amended in 1990, Pub. Law No. 101-549.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 25 2013

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Delegation of Authority 7-175 to Implement the 500 Parts Per Million Sulfur Locomotive and Marine Diesel Fuel from Transmix Provisions under 40 CFR 80

FROM: Bob Perciasepe, Acting Administrator

A handwritten signature in black ink, which appears to read "Bob Perciasepe", is written over the printed name of the Acting Administrator.

TO: Assistant Administrator, Office of Air and Radiation

I hereby delegate to the assistant administrator of the U.S. Environmental Protection Agency's Office of Air and Radiation the authority to implement the 500 parts per million sulfur locomotive and marine diesel fuel from transmix provisions under 40 CFR 80.513.

7-175 Implementation of the 500 ppm sulfur locomotive and marine diesel fuel from transmix provisions under 40 CFR 80.513 (1200 TN 623)

1. AUTHORITY. Pursuant to 42 U.S.C. Sections 7414, 7521, 7542, 7545, 7547 and 7601(a) and in accordance with 40 CFR part 80, the authority to:

- a. Approve or disapprove a compliance plan for a facility to produce 500 ppm locomotive and marine diesel fuel per §80.513(h)(3).
- b. Request records under §80.513(h)(3)(vii).

2. TO WHOM DELEGATED. Assistant administrator for the Office of Air and Radiation.

3. LIMITATIONS. None.

4. REDELEGATION.

- a. The authorities delegated in 1.a. and 1.b. may be redelegated to the office-director level, an equivalent office or successor office.
- b. The authorities delegated in 1.a. and 1.b. may be redelegated to the division-director level, an equivalent office or successor office.
- c. The authorities delegated in 1.a. and 1.b. may be redelegated to the center director or group-manager level, an equivalent office or successor office and no further.

d. An official who redelegates authority does not divest herself or himself of the power to exercise that authority.

e. An official who redelegates authority may revoke such redelegation at any time.

5. REFERENCES. None.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 19 2012

MEMORANDUM

SUBJECT: Approval of Delegation of Authority to Issue Minor and Major Nonattainment New Source Review Permits in Indian Country

FROM: Lisa P. Jackson

TO: Regional Administrators

I hereby grant you delegated authority for the Office of Air and Radiation Delegation of Authority 7-174 to issue minor and major nonattainment New Source Review permits in Indian Country.

**7-174. Minor and Major Nonattainment New Source Review Permits in Indian Country
(1200 TN 617)**

1. **AUTHORITY.** To issue permits and take any other action assigned to the U.S. Environmental Protection Agency Administrator that the regional administrators determine is necessary to fully implement the federal minor New Source Review program in Indian Country and the federal major New Source Review program for nonattainment areas in Indian Country promulgated pursuant to 42 U.S.C. sections 7601(a) and 7601(d)(4) and in accordance with 40 CFR part §§ 49.151-165 and §§ 49.166-175 respectively.
2. **TO WHOM DELEGATED.** The regional administrators.
3. **LIMITATIONS.** None.
4. **REDELEGATION OF AUTHORITY.**
 - a. This authority may be redelegated to the division director level in the regions or equivalent, and no further.
 - b. This authority may be exercised by any person in the chain of command to the person to whom it has been redelegated. Any redelegation of this authority does not divest the official making the redelegation from the power to exercise this authority.
5. **ADDITIONAL REFERENCES.** None.



Delegation of Authority

1200 TN 615

11/16/2011

CLEAN AIR ACT

7-173. Implementation of the Changes to Renewable Fuel Standard Program, March 26, 2010 Final Rulemaking

1. **AUTHORITY.** Pursuant to 42 U.S.C. sections 7414, 7542, 7545, and 7601(a), and in accordance with 40 CFR part 80, the authority to:
 - a. To assign an equivalence value to a renewable fuel based on a review of the technical justification submitted to the Agency by a producer or importer pursuant to §80.1415(c).
 - b. To prescribe the forms and procedures to be used by renewable fuels producers and importers to submit applications to the Agency for a renewable fuel equivalence value pursuant to §80.1415(c)(5).
 - c. To request additional information to complete the lifecycle greenhouse gas assessment for a new renewable fuel or pathway from an applicant that petitioned EPA to assign a D code for a new renewable fuel or pathway pursuant to §80.1416.
 - d. To determine that a petition to assign a D code for a new renewable fuel or pathway is incomplete and to notify the applicant of that finding pursuant to §80.1416(c).
 - e. To approve or deny a petition to assign a D code for a new renewable fuel or pathway and to notify the applicant of the status of the petition pursuant to §80.1416.
 - f. To describe a new pathway approved pursuant to §80.1416.
 - g. To prescribe the forms and procedures to be used in petitioning EPA to assign a D code for a new renewable fuel or pathway pursuant to §80.1416(e).
 - h. To approve or deny the use of an alternative test method to determine the value of E pursuant to §80.1426(f)(7)(v).
 - i. To approve or deny the use of a formula to standardize the actual volume of a renewable fuel to 60°F pursuant to §80.1426(f)(8)(iii).

- j. To approve or deny the use of an alternative test method to determine the renewable fraction of a fuel pursuant to §80.1426(f)(9)(ii).
- k. To approve or disapprove use of an alternative test method for determining the renewable portion of a fuel blend pursuant to §80.1430(e)(2).
- l. To determine whether some portion of RINs are valid that would otherwise be deemed to be invalid pursuant to §80.1431(a)(2).
- m. Approve or deny a foreign refiner's small refinery exemption application pursuant to §80.1441(b).
- n. Find, under §80.1441(c), that a refiner provided false or inaccurate information regarding its refinery's crude throughput.
- o. Extend the exemption period under §80.1441(a) in accordance with §80.1441(e)(1).
- p. Approve or deny a petition from a refiner for an extension of its small refinery exemption per §80.1441(e)(2).
- q. Approve or deny a petition to correct corporate crude oil capacity data per §80.1442(b)(2)(vi).
- r. Approve or disapprove an application for small refiner status for a foreign refiner per §80.1442(b)(5).
- s. Find, under §80.1442(f), that a refiner provided false or inaccurate information in its small refiner verification letter.
- t. Approve or deny an application for an extension of the small refiner temporary exemption per §80.1442(h).
- u. Impose conditions on extensions of the temporary (small refiner) exemption pursuant to §80.1442(h)(5).
- v. Approve or disapprove a petition from Alaska or a United States territory to opt-in to the program requirements per §80.1443(b).
- w. Prescribe forms and procedures for production outlook reports per §80.1449(e).
- x. Accept registration information from obligated parties, exporters, producers and importers in accordance with §80.1450.
- y. Request additional records pursuant to §80.1450(b)(1)(v)(D).
- z. Request records from an independent third party per §80.1450(b)(2)(iii).
- aa. Per §80.1450(f), waive the requirement that registration for a facility that qualifies for an exemption described in §80.1403(c) or (d) must be submitted by July 1, 2013.

- ab. Establish registration forms and policies per ☐80.1450(g).
- ac. Request additional reporting information from obligated parties and exporters per ☐80.1451(a)(1)(xiii).
- ad. Request additional reporting information from renewable fuel producers and importers per ☐80.1451(b)(1)(ii)(S).
- ae. Request additional reporting information from RIN-owning parties per ☐80.1451(c)(1)(iii)(K).
- af. Request additional reporting information from RIN-owning parties per ☐80.1451(c)(2)(xvi).
- ag. Prescribe forms and procedures for reports required under ☐80.1451 in accordance with ☐80.1451(g).
- ah. Request additional information related to the submitting party's EPA Moderated Transaction System account per ☐80.1452(b)(16).
- ai. Request additional information related to the submitting party's EPA Moderated Transaction System account per ☐80.1452(c)(14).
- aj. Prescribe forms and procedures for information required under ☐80.1452 in accordance with ☐80.1452(d).
- ak. Per ☐80.1454(g)(1), find that the 2007 baseline amount of agricultural land in the U.S. or in a country covered by a petition approved pursuant ☐80.1457 has been exceeded and publish this finding in the Federal Register by November 30 of the year preceding the compliance period.
- al. Monitor the conduct of surveys, including observing audits, reviewing records, and analyzing audit results pursuant to ☐80.1454(g)(3)(ix).
- am. Determine other elements necessary to achieve the level of quality assurance pursuant to ☐80.1454(h)(4)(iv).
- an. Request copies of management plans, product transfer documents, and other records or information regarding the source of any feedstocks received per ☐80.1454(h)(5)(i).
- ao. Revoke approval of a survey plan for cause pursuant to ☐80.1454(h)(6)(v).
- ap. Request records from a renewable fuel producer that produces fuel from separated yard and food waste and separated municipal waste, per ☐80.1454(j)(2)(iv).
- aq. Request records from a renewable fuel producer that generates RINs for biogas or electricity produced from renewable biomass or that uses process heat from biogas to generate RINs, per ☐80.1454(k)(7).

- ar. Per §80.1545(n), request records under §80.1453 and §80.1454 be made available to the Administrator or the Administrator's authorized representative. Request that electronic records be converted to paper documents.
- as. Prescribe forms and procedures for the purchase of cellulosic biofuel waiver credits per §80.1456(e).
- at. Approve or disapprove a petition for application of the aggregate compliance approach to planted crops and crop residue from existing agricultural land in a foreign country per §80.1457(a).
- au. Require additional information pursuant to the petition process for aggregate compliance for foreign countries under §80.1457(b)(8).
- av. Make determinations and withdraw approval of the aggregate compliance approach per §80.1457(e)(1).
- aw. Pursuant to §80.1465(d)(3)(i), approve an independent third party based on a demonstration of ability to perform the procedures required in §80.1465(d).
- ax. Announce in advance an inspection or audit per §80.1465(f)(1)(i).
- ay. Agree in advance to a third party surety agent and the nature of a surety agreement per §80.1465(h)(2)(ii).
- az. Agree in advance to an alternative commitment that results in assets of an appropriate liquidity and value being readily available to the United States per §80.1465(h)(2)(iii).
- ba. Approve an auditor in advance per §80.1465(m)(6)(ii).
- bb. Withdraw or suspend a foreign refiner's small refinery or small refiner exemption per §80.1465(n).
- bc. Specify procedures and forms per §80.1465(o)(1).
- bd. Approve an independent third party in advance per §80.1466(d)(3)(i).
- be. Announce in advance an inspection or audit per §80.1466(f)(1)(i).
- bf. Agree in advance to a third party surety agent and the nature of a surety agreement per §80.1466(h)(2)(ii).
- bg. Agree in advance to an alternative commitment that results in assets of an appropriate liquidity and value being readily available to the United States per §80.1466(h)(2)(iii).
- bh. Approve an auditor in advance per §80.1466(m)(6)(ii).
- bi. Withdraw or suspend a foreign producer's approval per §80.1466(n).

- bj. Specify procedures and forms per §80.1466(o)(1).
- bk. Announce in advance an inspection or audit per §80.1467(c)(1)(i).
- bl. Agree in advance to a third party surety agent and the nature of a surety agreement per §80.1467(e)(2)(ii).
- bm. Agree in advance to an alternative commitment that results in assets of an appropriate liquidity and value being readily available to the United States per §80.1467(e)(2)(iii).
- bn. Approve an auditor in advance per §80.1467(h)(2).
- bo. Withdraw or suspend foreign RIN owner status per §80.1467(i).
- bp. Specify procedures and forms per §80.1467(j)(1).

2. TO WHOM DELEGATED.

- a. Authorities (a)-(m), (o)-(r), (t)-(x), (aa), (ab), (ag), (aj), (ak), (am), (as)-(av), (bb), (bc), (bi), (bj), (bo), and (bp) are delegated to the Assistant Administrator for Air and Radiation.
- b. Authorities (aw)-(ba), (bd)-(bh) and (bk)-(bn) are delegated to the Assistant Administrator for Enforcement and Compliance Assurance.
- c. Authorities (n), (s), (y), (z), (ac)-(af), (ah), (ai), (al), and (an)-(ar) are delegated to both the Assistant Administrator for Air and Radiation and the Assistant Administrator for Enforcement and Compliance Assurance.

3. LIMITATIONS.

- a. The Assistant Administrator for Air and Radiation, or his or her designee, must notify the Assistant Administrator for Enforcement and Compliance Assurance, or his or her designee, when exercising the authorities in (a), (e), (h), (m), (o)-(r), (t), (v), (al), (at), and (av).
- b. The Assistant Administrator for Air and Radiation, or his or her designee, must consult with the Assistant Administrator for Enforcement and Compliance Assurance, or his or her designee, when exercising the authorities in (f), (j)-(l), (n), (s), (u), (aa), (ak), (am), (ao), (bb), (bi), and (bo).
- c. The Assistant Administrator for Enforcement and Compliance Assurance, or his or her designee, must notify the Assistant Administrator for Air and Radiation, or his or her designee, when exercising the authority in (al).
- d. The Assistant Administrator for Enforcement and Compliance Assurance, or his or her designee, must consult with the Assistant Administrator for Air and Radiation, or his or her designee, when exercising the authorities in (n), (s), and (ao).

4. REDELEGATION AUTHORITY

- a. The authorities delegated in (ak), (at), and (av) to the Assistant Administrator level, or equivalent, may not be redelegated further.
- b. The authorities delegated in (e), (o), (p), (t), (v), (bb), (bi), and (bo) may be redelegated to the Office Director level, or equivalent, and no further.
- c. The authorities delegated in (a), (m), (n), (q), (r), (s), (u), (aa), and (ao) may be redelegated to the Division Director level, or equivalent, and no further.
- d. With the exception of the authorities listed in 4a, 4b, and 4c above, all other authorities contained in this delegation may be redelegated to the Group Manager or Branch Chief level, or equivalent, and no further.
- e. This authority may be exercised by any person in the chain of command down to the person to whom it has been delegated. Any redelegation of this authority does not divest the official making the redelegation from the power to exercise this authority.

5. ADDITIONAL REFERENCES. None.



Temporary Delegation of Authority

July 28, 2011

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Responding to a Petition for Rulemaking Under the Clean Water Act entitled “Numeric Water Quality Standards for Nitrogen and Phosphorus and Total Maximum Daily Loads for the Mississippi River and the Gulf of Mexico.”

TO: Michael H. Shapiro
Deputy Assistant Administrator
Office of Water

I hereby delegate to you the authority to sign the Agency’s decision responding to the July 30, 2008 petition submitted by thirteen environmental organizations from the Mississippi-Atchafalaya River Basin (MARB) states requesting the EPA to develop and promulgate numeric water quality standards for nutrients, and to establish total maximum daily loads (TMDLs) for the Mississippi River and the Gulf of Mexico.

This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

/s/

Lisa P. Jackson

June 12, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Liberty Ship Act

TO: Richard E. Greene
Regional Administrator
Region VI

You are hereby granted delegated authority under the Liberty Ship Act, at 16 U.S.C. 1220(b)(2), to grant or deny a certificate finding that the proposed use of the decommissioned vessel USTS Texas Clipper I as an artificial reef will be compatible with water quality standards and other appropriate environmental protection requirements. The Offices of Water, Pollution Prevention and Toxics, and General Counsel must be consulted during the development of your certification determination.

This is a one-time delegation, as it only applies to a certificate for the USDTs Texas Clipper I. This authority may not be redelegated.

Stephen L. Johnson



E. SCOTT PRUITT
ADMINISTRATOR

June 9, 2017

MEMORANDUM

SUBJECT: One-time Delegation of Authority to Sign Final Rule Establishing Effluent Limitations Guidelines and Standards for the Dental Category Under the Clean Water Act – RIN-2040-AF26

FROM: E. Scott Pruitt

By [Signature] for

TO: Michael H. Shapiro
Acting Assistant Administrator, Office of Water

Notwithstanding delegation 1-21, I hereby delegate to the acting assistant administrator for the U.S. Environmental Protection Agency's Office of Water the authority to sign the final rule establishing Effluent Limitations Guidelines and Standards for the Dental Category in the same form as was posted for public inspection on January 19, 2017.

1. **AUTHORITY.** To sign and submit for publication in the Federal Register the agency's final rule establishing Effluent Limitations Guidelines and Standards for the Dental Category.
2. **TO WHOM DELEGATED.** The Office of Water acting assistant administrator.
3. **LIMITATIONS.** This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act.
4. **REDELGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.** None.

May 12, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Revise Federal Hazardous Waste Regulations to Extend the Life of the New England University Laboratories XL Project

TO: Robert W. Varney,
Regional Administrator, Region I

You are hereby delegated authority to take all necessary actions to promulgate a special regulation change to 40 C.F.R. § 262.108 of the federal hazardous waste regulations to extend the life of the New England University Laboratories XL Project. The contemplated regulation change is to extend the expiration date for the special federal regulations governing the project from September 30, 2006 to September 30, 2012. You may propose such a regulation change, and following public comment, may sign a final rulemaking either approving or disapproving the regulation change. You may also make the regulation change through publication of an immediate final rulemaking, under which, the change will take effect within 60 days unless an adverse comment regarding the change is received by the EPA by the end of a 30 day public comment period. You are granted this authority for a period of one year only, unless superseded by another delegation.

Authority for this delegation is provided by sections 3002(a) and 3006(a) of RCRA.

This temporary delegation of authority is limited to the purposes stated above and may be exercised only within the statutory requirements set by RCRA. This authority may not be redelegated further. Before approving or disapproving any regulation change, you must consult with the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Enforcement and Compliance Assurance or their designees.

Stephen L. Johnson
Administrator

October 19, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

TO: Assistant Administrators
General Counsel
Regional Counsels
Inspector General
Chief Financial Officer
Regional Administrators
Chief of Staff

Attached to this memorandum is a new temporary delegation of authority regarding the settlement of administrative EEO claims or complaints filed against EPA. This temporary delegation of authority supersedes all other delegations of authority for the settlement of such claims and complaints, and will remain in effect for six months from the date of this memorandum, unless it is extended or superseded by a different delegation.

Please note that this temporary delegation may be exercised only with the concurrence of the EPA official referenced in paragraph 4 of the delegation. Please ensure that the appropriate management officials in your organizations are informed of this delegation.

/s/
Stephen L. Johnson

Attachment

Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

1. AUTHORITY.

On behalf of the U.S. Environmental Protection Agency (EPA or Agency), to enter into settlement agreements that resolve administrative claims and complaints brought against the Agency under various EEO authorities, including the Equal Pay Act of 1963, as amended, 29 U.S.C. 206(d) et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; Executive Orders 11478, 12106, 13145, and 13152; and the Equal Employment Opportunity Commission (EEOC) regulations at 29 C.F.R. Part 1614. This includes the authority to settle any and all of a complainant's pending administrative EEO claims and complaints, and mixed case appeals filed by an appellant before the Merit Systems Protection Board (MSPB).

2. TO WHOM DELEGATED.

- a. The Chief of Staff, Assistant Administrators, Regional Administrators, General Counsel, Inspector General, and Chief Financial Officer, for settlement agreements with complainants in their respective organizations prior to the complainant requesting a hearing before the EEOC or MSPB.
- b. The EPA Office of General Counsel (OGC), Office of Regional Counsel (ORC), or Office of Inspector General (OIG) attorney designated by OGC, ORC, or OIG to represent the Agency after a complainant requests a hearing before the EEOC or files a mixed case appeal before the MSPB.

3. REDELEGATION AUTHORITY.

- a. The authority in paragraph 2a may be redelegated to management officials within the delegates' respective organizations. This authority may not be redelegated lower than the Division Director level, or equivalent.
- b. The authority in paragraph 2b may not be redelegated.

4. LIMITATIONS.

- a. The settlement authority provided under this delegation may only be exercised with the concurrence of the Director, Office of Civil Rights (OCR), on

acceptable parameters for settlement. This concurrence must be obtained as early as practical. If settlement negotiation results in settlement terms that deviate from the parameters concurred upon by the Director, OCR, then the delegatee or re-delegatee must obtain concurrence on the new terms or new parameters before entering into a settlement agreement. The Director, OCR, at his or her discretion, may waive the concurrence requirement, in writing, at any time.

b. The settlement authority provided under paragraph 2a may only be exercised after legal review of a proposed settlement agreement by OGC, ORC, or OIG Office of Counsel, as applicable.

c. The settlement authority provided under paragraph 2b may only be exercised with the concurrence of the appropriate EPA management official.

d. The designation of OIG attorneys to represent the Agency in the processing of employee complaints covered by this delegation will be in accordance with the provisions of the *Memorandum of Understanding Between the General Counsel and the Inspector General of the United States Environmental Protection Agency*, dated September 8, 2004.

e. Subject to paragraph 4a, an OGC, ORC, or OIG attorney may engage in discussions and negotiations that may lead to settlement of a claim or complaint by an official who has settlement authority under this delegation.

5. ADDITIONAL REFERENCES.

a. EPA Delegation 1-34, Litigation Representation

b. EPA Delegation 1-83, Final Decisions on Formal Complaints of Discrimination

c. 29 C.F.R. Part 1614

May 25, 2000

MEMORANDUM

SUBJECT: One-time Delegation of Authority to Implement 40 CFR §§97.4(a) and 97.42(g)
Under the Federal NOx Budget Trading Program

TO: Robert Perciasepe
Assistant Administrator
Office of Air and Radiation

Pursuant to Section 126 of the Clean Air Act, 42 U.S.C. 7426, and in accordance with 40 CFR §§97.4(a) and 97.42(g), you are hereby granted the authority to make determinations as to whether sources are NOx Budget units under 40 CFR §97.4(a), to notify the sources of the determinations, and to take appropriate actions concerning NOx allowances allocated to the sources.

This one-time delegation of authority will remain in effect until December 31, 2000, unless extended or superseded by a subsequent delegation. These authority may be redelegated to the Division Director level, or equivalent, and may not be redelegated further.

/s/
Carol M. Browner

November 18, 2004

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Children's Health Protection to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Director
Office of Children's Health Protection

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to susceptible populations, including children and the aging under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may not be redelegated further.

/s/

Michael O. Leavitt

October 31, 2001

MEMORANDUM

SUBJECT: Temporary Delegation of Authority for Control of Emissions of Hazardous Air Pollutants from Mobile Sources, 40 CFR Part 80, Subpart J

TO: Jeff Holmstead
Assistant Administrator
Office of Air and Radiation

Pursuant to Sections 114, 202(l), 211 and 301(a) of the Clean Air Act, 42 U.S.C. 7414, 7521(l), 7545 and 7601(a), and in accordance with 40 CFR Parts 80, you are hereby delegated the following authorities:

- a. To approve or disapprove toxics baseline applications from a refiner or importer and notify the refiner or importer of the toxics baseline under § 80.910(e).
- b. To approve or disapprove refinery or importer petitions to exclude batch toxics measurements from baseline determinations under § 80.915(a)(3).
- c. To approve or disapprove a toxics baseline adjustment by the refiner or importer under § 80.915(g)(1).
- d. To approve or disapprove a foreign refiner's request for an individual refinery toxics baseline under § 80.1030(b).
- e. To make a provisional finding that the refiner's petition is complete under § 80.1030(r)(1)(ii).

This temporary delegation of authority will remain in effect until April 30, 2002, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. The Assistant Administrator, Office of Enforcement and Compliance Assurance, must be notified when exercising these authorities. The authorities in a., c., d., and e. may be redelegated to the Division Director level, or equivalent, and no further. The authorities in b. may be redelegated to the Group Manager level, or equivalent, and no further.

/s/
Christine Todd Whitman

October 23, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority Pursuant to Public Law 102-402 to Certify
That Response Action Required at the Rocky Mountain Arsenal Has Been
Completed

TO: Regional Administrator, Region 8

You are hereby delegated the authority to exercise the Administrator's authority pursuant to section 2(b)(2) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992, Public Law 102-402, to certify to the Secretary of the Army that response action required at the Arsenal and any action required under any other statute to remediate petroleum products or their derivatives (including motor oil and aviation fuel) at the Arsenal have been completed, except operation and maintenance associated with those actions.

This is a temporary delegation of authority and it will remain in effect for a period of one year from the date of approval, unless extended or superseded by a subsequent delegation(s). The authority granted to the Regional Administrator may not be redelegated.

/s/

Marianne Lamont Horinko
Acting Administrator

October 10, 2001

MEMORANDUM

SUBJECT: One-time Delegation of Authority to Revise the Existing Section 182(f) Illinois, Indiana, and Wisconsin Oxides of Nitrogen Emission Control Exemption and to Grant or Deny a Chicago Legal Clinic, Inc. Section 182(f)(3) Petition

TO: David A. Ullrich
Deputy Regional Administrator

You are hereby delegated authority to revise the existing oxides of nitrogen emission control exemption (61 FR 2428) that became effective on February 26, 1996, to the extent that the final ozone attainment plans for the Chicago-Gary-Lake County ozone nonattainment area and the Milwaukee-Racine ozone nonattainment area include oxides of nitrogen emission controls on major stationary sources in these ozone nonattainment areas. You are also delegated the authority to grant or deny the August 22, 2000, petition by the Chicago Legal Clinic, Inc. pursuant to section 182(f)(3) of the Clean Air Act.

Authority for this delegation is provided pursuant to Section 182(f) of the Clean Air Act.

This one-time delegation of authority is limited to the purposes stated above and may be exercised only within the limitations of the Act. This authority may not be redelegated further.

/s/

Christine Todd Whitman

September 30, 2004

MEMORANDUM

SUBJECT: One-Time Delegation to Enter into Direct Implementation Tribal Cooperative Agreements and Ratification of Past Direct Implementation Tribal Cooperative Agreements

TO: Assistant Administrators
Regional Administrators

You are hereby delegated the authority to enter into Direct Implementation Tribal Cooperative Agreements (DITCAs) with federally recognized Indian tribes and intertribal consortia pursuant to any public law which authorizes such cooperative agreements (e.g., Pub. L. No. 108-199 (2004)), and in accordance with the following limitations:

1. This delegation is limited to the purposes stated above and may be exercised only within the limitations of the applicable public law.
2. Awards are subject to applicable guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, the Office of Water, and the American Indian Environmental Office.
3. All cooperative agreements must be approved/awarded no later than September 30, 2005.

This one-time delegation of authority will remain in effect until September 30, 2005, unless extended or superseded by a subsequent delegation.

This one-time delegation of authority allows Assistant Administrators and Regional Administrators to re-delegate their authority under this delegation as follows: Assistant Administrators to the Office Director and/or staff chief level; Regional Administrators to the Deputy Regional Administrator and/or staff chief level.

In addition, I am hereby ratifying all DITCAs previously approved and awarded by the Assistant Administrators or Regional Administrators since September 30, 2002.

/s/
Michael O. Leavitt

September 30, 2002

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Children's Health Protection to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Director
Office of Children's Health Protection

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to susceptible populations, including children and the aging under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This Temporary Delegation of Authority will remain in effect until October 1, 2003, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may not be redelegated further.

/s/

Christine Todd Whitman

September 27, 2001

MEMORANDUM

SUBJECT: Temporary Amendment to EPA Delegation of Authority 1-6-A, *Security*

TO: Assistant Administrator
Office of Enforcement and Compliance Assurance

EPA Delegation 1-6-A, *Security*, addresses the authority to take appropriate actions required by law, Executive Orders, or regulations with regard to industrial security programs; and the physical protection of classified or privileged information, Agency equipment, building and personnel. Section 3 of Delegation 1-6-A provides that the authority to provide protective security measures for the Administrator while traveling in and around the Washington, DC area, on domestic travel, or on international travel is reserved to the Inspector General, in accordance with Section 9(a)(1) of the Inspector General Act of 1978, except to the extent the Inspector General delegates his/her authority to the Agency. On September 27, 2001, the Inspector General delegated to the Agency, her authority to provide protective security measures for the Administrator.

In accordance with the provisions set forth in that memorandum, EPA Delegation 1-6-A and by this memorandum, you are hereby delegated the authority to provide protective security measures for the Administrator and the Deputy Administrator while traveling in and around the Washington, D.C. area, and on domestic or international travel. This authority is redelegated to the Director of the Office of Criminal Enforcement, Forensics, and Training, and may be further redelegated to specific employees in the personnel category 1811 Series within that Office. This authority may not be further redelegated.

This authority is effective immediately and is in effect until superceded by formal amendment to the EPA Delegations Manual.

/s/
Christine Todd Whitman

September 19, 2002

MEMORANDUM

SUBJECT: Temporary Delegation to Approve and Administer Grants and Cooperative Agreements for Water Security Projects

TO: G. Tracy Mehan III, Assistant Administrator
Office of Water

Regional Administrators

You are hereby delegated the authority to approve and administer grants and cooperative agreements for water security projects to address any and all terrorist threats from funds appropriated for the Science and Technology Account, State and Tribal Assistance Grant Account, or the Environmental Programs and Management Account or any successor accounts, including projects authorized by Sections 401 and 402 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, P.L. 107-188, 116 Stat 594, and any subsequent public law; and to perform other activities necessary for the effective administration of those grants and cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2003, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Water or its Component Offices. The authority granted to the Assistant Administrator for Water may be redelegated to the Office Director level, or equivalent, and no further. The authority granted to Regional Administrators may be redelegated to the Division Director level, or equivalent, and no further.

/s/

Christine Todd Whitman

September 15, 2004

MEMORANDUM

SUBJECT: One-Time Delegation of Authority for the Purpose of Engaging in Administrative, Financial, Public Outreach, and Other Activities Relating to the Operation of the Board of Directors of the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB), and to Execute Resolutions and Other Agreements Relating to Such Activities.

TO: Assistant Administrator
Office of International Affairs

I hereby delegate to you the authority to engage in administrative, financial, public outreach, and other activities relating to the operation of the board of directors of the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB), and to execute resolutions and other agreements relating to such activities.

This Delegation will remain in force until a new permanent delegation of authority is in place. This authority may be redelegated to the Deputy Assistant Administrator for International Affairs and the Regional Administrators for Region 6 and Region 9 for the purpose of attendance at specific sessions of the Board of Directors of the BECC and NADB or for the purpose of making specific decisions as a member of the Board. This authority may not be redelegated further.

/s/

Michael O. Leavitt

Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

Approval Date: 09/06/2005

Expiration Date: 09/06/2006

1. AUTHORITY.

On behalf of the U.S. Environmental Protection Agency (EPA or Agency), to enter into settlement agreements that resolve administrative claims and complaints brought against the Agency under various EEO authorities, including the Equal Pay Act of 1963, as amended, 29 U.S.C. 206(d) et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; Executive Orders 11478, 12106, 13145, and 13152; and the Equal Employment Opportunity Commission (EEOC) regulations at 29 C.F.R. Part 1614. This includes the authority to settle any and all of a complainant's pending administrative EEO claims and complaints, and mixed case appeals filed by an appellant before the Merit Systems Protection Board (MSPB).

2. TO WHOM DELEGATED.

a. The Chief of Staff, Assistant Administrators, Regional Administrators, General Counsel, Inspector General, and Chief Financial Officer, for settlement agreements with complainants in their respective organizations prior to the complainant requesting a hearing before the EEOC or MSPB.

b. The EPA Office of General Counsel (OGC), Office of Regional Counsel (ORC), or Office of Inspector General (OIG) attorney designated by OGC, ORC, or OIG to represent the Agency after a complainant requests a hearing before the EEOC or files a mixed case appeal before the MSPB.

3. REDELEGATION AUTHORITY.

a. The authority in paragraph 2a may be redelegated to management officials within the delegates' respective organizations. This authority may not be redelegated lower than the Division Director level, or equivalent.

b. The authority in paragraph 2b may not be redelegated.

4. LIMITATIONS.

a. The settlement authority provided under this delegation may only be exercised with the concurrence of the Director, Office of Civil Rights (OCR), on acceptable parameters for settlement. This concurrence must be obtained as early as practical. If settlement negotiation results in settlement terms that deviate from the parameters concurred upon by the Director, OCR, then the delegatee or re-delegatee must obtain concurrence on the new terms or new parameters before entering into a settlement agreement. The Director, OCR, at his or her discretion, may waive the concurrence requirement, in writing, at any time.

b. The settlement authority provided under paragraph 2a may only be exercised after legal review of a proposed settlement agreement by OGC, ORC, or OIG Office of Counsel, as applicable.

c. The settlement authority provided under paragraph 2b may only be exercised with the concurrence of the appropriate EPA management official.

d. The designation of OIG attorneys to represent the Agency in the processing of employee complaints covered by this delegation will be in accordance with the provisions of the *Memorandum of Understanding Between the General Counsel and the Inspector General of the United States Environmental Protection Agency*, dated September 8, 2004.

e. Subject to paragraph 4a, an OGC, ORC, or OIG attorney may engage in discussions and negotiations that may lead to settlement of a claim or complaint by an official who has settlement authority under this delegation.

5. ADDITIONAL REFERENCES.

a. EPA Delegation 1-34, Litigation Representation

b. EPA Delegation 1-83, Final Decisions on Formal Complaints of Discrimination

c. 29 C.F.R. Part 1614

August 30, 2004

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the Decision on the “Request For Stay Pending Judicial Review” Concerning the Phase II Regulation Promulgated under Clean Water Act (CWA) Section 316(b) Submitted by Six Northeast States

TO: Assistant Administrator
Office of Water

I hereby delegate to you the authority to sign the Agency’s decision on the “Request For Stay Pending Judicial Review, “ dated July 26, 2004, which was submitted to me by the attorneys general for the States of Rhode Island, Massachusetts, Connecticut, New Jersey, New York, and Delaware in connection with the February 16, 2004, Phase II regulation establishing requirements under Clean Water Act section 316(b) for cooling water intake structures at existing power-generating facilities.

This Delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

/s/

Michael O. Leavitt

May 17, 2002

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the Underground Injection Control Program - Notice of Final Determination for Class V Wells

TO: G. Tracy Mehan III, Assistant Administrator
Office of Water

Pursuant to Section 1421 of the Safe Drinking Water Act, you are hereby delegated the authority to sign by May 31, 2002, a final notice discharging the Administrator's rulemaking obligations with respect to all Class V injection wells not addressed under the 1999 rule (64 FR 68546 December 7, 1999).

This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. This authority may not be redelegated.

Approved: _____ /s/ Christine Todd Whitman

Date: May 17, 2002

June 24, 2004

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the Decision on the “Request For Stay Pending Judicial Review” Concerning the Phase II Regulation Promulgated under Clean Water Act (CWA) Section 316(b)

TO: Assistant Administrator
Office of Water

I hereby delegate to you the authority to sign the Agency’s decision on the “Request For Stay Pending Judicial Review, “ dated March 25, 2004, which was submitted to me by Riverkeeper on behalf of itself, Waterkeeper Alliance and the Natural Resources Defense Council, in connection with the February 16, 2004, Phase II regulation establishing requirements under CWA section 316(b) for cooling water intake structures at existing power-generating facilities.

This Delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

/s/

Michael O. Leavitt

June 24, 2004

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the Decision on the Petition from the Sierra Club Concerning Water Quality Standards for Defined Portions of the Mississippi and Missouri Rivers

TO: Assistant Administrator
Office of Water

I hereby delegate to you the authority to sign the Agency's decision to the petition requesting EPA to promulgate Water Quality Standards for defined portions of the Mississippi and Missouri Rivers dated February 25, 2003, which was sent to me by the Ozark Chapter of the Sierra Club.

This Delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

/s/

Michael O. Leavitt

May 30, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Issue Applicability Determinations
Pursuant to the Consumer Products Rule, Section 183(e) of the Clean Air Act

TO: Assistant Administrator
Office of Enforcement and Compliance Assurance

Regional Administrators

You are hereby delegated authority to issue applicability determinations pursuant to the Consumer Products Rule, Section 183(e) of the Clean Air Act and 40 CFR Part 59.

This temporary delegation of authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation. This delegation is limited to the purpose stated above. The authority granted to the Regional Administrators and the Assistant Administrator for OECA may be redelegated to the Branch level, or equivalent, and may not be redelegated further.

/s/

Christine Todd Whitman

May 21, 2003

MEMORANDUM

SUBJECT: One-Time Delegation of Authority to Revise Federal Hazardous Waste Regulations to Extend the Active Life of the New England University Laboratories XL Project

TO: Regional Administrator, Region I

You are hereby delegated authority to promulgate a special regulation change to 40 C.F.R. § 262.108 of the federal hazardous waste regulations to extend the active life of the New England University Laboratories XL project. The contemplated regulation change is to extend the expiration date for the special federal regulations governing the project from September 30, 2003 to September 30, 2006. You may propose such a regulation change and following public comment may sign a final rulemaking either approving or disapproving the regulation change.

Authority for this delegation is provided by sections 3002(a) and 3006(a) of RCRA.

This One-Time Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This One-Time Delegation of Authority is limited to the purposes stated above and may be exercised only within the statutory requirements set by RCRA. This authority may not be redelegated further. Before approving or disapproving any regulation change, you must consult with the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Enforcement and Compliance Assurance or their designees.

/s/

Christine Todd Whitman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 23 2012

THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Redesignate Air-Quality Planning Areas in Arizona

FROM: Lisa P. Jackson

TO: Jared Blumenfeld, Region 9 Administrator

I hereby grant you temporary delegated authority under sections 107(d)(3), 301(a) and 301(d)(4) of the Clean Air Act, 42 U.S.C. §§ 7407(d)(3), 7601(a) and 7601(d)(4), to redesignate one or more adjacent Arizona air-quality planning areas, or portions of such areas, to nonattainment for the 1987 24-hour PM₁₀ National Ambient Air Quality Standard and one Arizona air-quality planning area, or portion of such area, to nonattainment for the 2008 Lead National Ambient Air Quality Standard. The temporary delegation applies to state lands but in the case of PM₁₀, it also applies to Indian Country located within or adjacent to the boundaries of the area to be redesignated and is subject to the following limitations.

1. Prior to proposing action to redesignate an Arizona air-quality planning area to nonattainment, the Region 9 Administrator or his designee must offer consultation in advance to affected tribes and notify the director of the Office of Air Quality Planning and Standards or his designee;
2. In discussions with affected tribes expressing disagreement with a proposed action to redesignate an area to nonattainment, the Region 9 Administrator or his designee must consult with designated representatives of the director of OAQPS; and
3. Prior to taking any final action on a proposal to redesignate an Arizona air-quality planning area to nonattainment on which adverse comments were received, the Region 9 Administrator or his designee must consult in advance with the general counsel or his designee.

References: Delegations 7-10, 7-21, 7-40 and 7-172

This temporary delegation of authority will expire upon completion of the rulemaking processes to redesignate one or more adjacent air-quality planning areas, or portions of such areas, in Arizona to nonattainment for the 1987 24-hour PM₁₀ National Ambient Air Quality Standard and one Arizona air-quality planning area, or portion of such area, to nonattainment for the 2008 Lead National Ambient Air Quality Standard, unless amended or superseded by subsequent delegation. This temporary delegation of authority is limited to the purposes stated above. This authority may not be redelegated.



Temporary Delegation of Authority

April 18, 2012

MEMORANDUM

SUBJECT: Request for Temporary Delegation of Authority to Exercise the EPA Administrator's Authority Under the Water Resources Development Act of 1999 for the Savannah Harbor Expansion Project

TO: Gwendolyn Keyes Fleming, Region 4 administrator

The Regional Administrator of the U.S. Environmental Protection Agency, Region 4, is hereby granted a one-time delegation to exercise the authority granted to the Administrator of the Environmental Protection Agency pursuant to language in the Water Resources Development Act of 1999, relating to the Savannah Harbor Expansion Project.

WRDA 1999 includes the following provision in relation to this project:

(9) SAVANNAH HARBOR EXPANSION, GEORGIA

(A) IN GENERAL. Subject to subparagraph (B), the project for navigation, Savannah Harbor expansion, Georgia, including implementation of the mitigation plan, with such modifications as the Secretary considers appropriate at a total cost of \$230,174,000 (of which amount a portion is authorized for implementation of the mitigation plan), with an estimated Federal cost of \$145,160,000 and an estimated non-Federal cost of \$85,014,000.

(B) CONDITIONS. The project authorized by subparagraph (A) may be carried out only after –

(i) the Secretary, in consultation with affected Federal, State of Georgia, State of South Carolina, regional, and local entities, reviews and approves an environmental impact statement for the project that includes --

(I) an analysis of the impacts of project depth alternatives ranging from 42 feet through 48 feet; and

(II) a selected plan for navigation and an associated mitigation plan as required under section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)); and

(ii) the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the Secretary approve the selected plan and determine that the associated mitigation plan adequately addresses the environmental impacts of the project.

(C) MITIGATION REQUIREMENTS. The mitigation plan shall be implemented before or concurrently with construction of the project.

With this one-time delegation, the authority granted to the Administrator of the Environmental Protection Agency in Condition (B)(ii) above is delegated to the Regional Administrator, U.S. EPA Region 4. This delegation of authority may not be further re-delegated. The length of this delegation of authority is open-ended, but will remain in effect only until the determinations concerning the selected plan and the associated mitigation plan have been completed. This delegation is limited to the purpose stated above.

/s/

Lisa P. Jackson
Administrator

April 9, 2002

MEMORANDUM

SUBJECT: One-time Delegation of Authority to Deny or Otherwise Act Upon Petitions to Withdraw or Revoke Federally-Authorized, Delegated, or Approved Environmental Programs in the State of Ohio under the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act

TO: Thomas V. Skinner
Regional Administrator, Region 5

You are hereby delegated authority to deny or otherwise act upon petitions to withdraw or revoke Federally-authorized, delegated, or approved environmental programs in the State of Ohio under the following statutes:

The Clean Air Act, Title V program (42 U.S.C. § 7661a);
The Clean Air Act New Source Performance Standards program (42 U.S.C. § 7411);
The Clean Air Act Prevention of Significant Deterioration and Non-Attainment Area Requirements program, including the New Source Review Requirements program (42 U.S.C. §§ 7470 et seq. and §§ 7501 et seq.);
The Clean Air Act Noncompliance Penalty program (42 U.S.C. § 7420);
The Resource Conservation and Recovery Act Subtitle C program (42 U.S.C. § 6926);
The Resource Conservation and Recovery Act Subtitle D program (42 U.S.C. §§ 6941 - 6949a);
The Federal Water Pollution Control Act NPDES program (33 U.S.C. § 1342); and
The Federal Water Pollution Control Act Wetlands program (33 U.S.C. § 1344).

This one-time delegation of authority will remain in effect until June 30, 2003, unless extended or superseded by a subsequent delegation. No determination to withdraw or revoke any aforementioned Federally-authorized, delegated or approved State environmental program shall be made without the respective concurrence of the Assistant Administrator for Air and Radiation, Assistant Administrator for Water, Assistant Administrator for Solid Waste and Emergency Response, Assistant Administrator for Enforcement and Compliance Assurance, and the Office of General Counsel. This authority may not be redelegated further.

/s/

Christine Todd Whitman

March 28, 2003

MEMORANDUM

SUBJECT: One-Time Delegation of Authority to Revise Federal Hazardous Waste Regulations, for Massachusetts Only

TO: Regional Administrator, Region 1

You are hereby delegated authority to promulgate a special regulation change to either 40 C.F.R. part 262 or 40 C.F.R. part 271 to enable the EPA to authorize under the Resource Conservation and Recovery Act (RCRA) regulations submitted by the Massachusetts Department of Environmental Protection, regarding the on-site recycling by generators of hazardous wastes. You may propose such a regulation change and following public comment may sign a final rulemaking either approving or disapproving the regulation change.

Authority for this delegation is provided by sections 3002(a) and 3006(a) of RCRA.

This temporary delegation of authority will remain in effect for a period of one year, unless extended or superseded by a subsequent delegation(s). This one-time delegation of authority is limited to the purposes stated above and may be exercised only within the statutory requirements set by RCRA. This authority may not be redelegated further. Before approving or disapproving any regulation change, you must consult with the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Enforcement and Compliance Assurance or their designees.

/s/

Christine Todd Whitman

March 21, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Approve and Administer Grants and Cooperative Agreements for Brownfields Revolving Loan Funds that Transition

TO: Regional Administrators

You are hereby delegated the authority to approve and administer grants and cooperative agreements for Brownfields Revolving Loan Funds issued under Section 104(d) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 that choose to transition to the new requirements under Section 104(k)(3) of the Brownfields Revitalization and Environmental Restoration Act of 2001 consistent with national guidance and to perform other activities necessary for the effective administration of those grants and cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2003, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Solid Waste and Emergency Response or its Component Offices. The authority granted to Regional Administrators may be redelegated to the Division Director level, or equivalent, and no further.

/s/

Christine Todd Whitman

March 7, 2002

MEMORANDUM

SUBJECT: One-Time Delegation of Authority to Enter into Cooperative Agreements with Federally Recognized Indian Tribes or Intertribal Consortia Pursuant to P.L. 106-377, 114 Stat. 1441

TO: Assistant Administrators
Regional Administrators

You are hereby delegated authority to enter into assistance agreements with Federally Recognized Indian Tribes or Intertribal Consortia for the purpose of implementing Federal environmental programs for Indian Tribes required or authorized by law, pursuant to Public Law 106-377, 114 Stat. 1441, and in accordance with the following limitations:

1. The Director, American Indian Environmental Office, must be consulted on all cooperative agreements.
2. All cooperative agreements must be approved/awarded no later than September 30, 2002.
3. No cooperative agreement may be approved/awarded using funds designated for State financial assistance agreements.
4. With respect to Regional cooperative agreements, the Regional Administrator/delegatee must consult with the relevant Headquarters program office that administers contracts used to implement Federal environmental programs for Indian Tribes required or authorized by law.
5. With respect to Regional cooperative agreements using funds from the State and Tribal Assistance Grants appropriation, the Regional Administrator/delegatee must consult with the relevant National Program Manager.

This one-time delegation of authority will remain in effect until September 30, 2002, unless extended or superseded by a subsequent delegation. This delegation is limited to the purpose stated above. The authority granted to Assistant Administrators may be redelegated to the Office Director level, or equivalent, and may not be redelegated further. The authority granted to the Regional Administrators may be redelegated to the Division Director level, or equivalent, and may not be redelegated further.

/s/

Christine Todd Whitman



Temporary Delegation of Authority

February 9, 2012

MEMORANDUM

SUBJECT: Temporary Delegation of Authority for the Director of the Office of Children's Health Protection to Award and Administer Grants and/or Cooperative Agreements under TSCA Title V, Section 501

TO: John Reeder
Deputy Chief of Staff

You are hereby delegated the authority under TSCA Title V, Section 501 to award and administer grants and/or cooperative agreements using the grant-making authority of TSCA Title V, Section 501. This authority may be exercised by any person in the chain of command down to the person to whom it has been delegated. The delegation of this authority does not divest anyone in the chain of command through the delegatee from the power to exercise this authority.

This temporary delegation of authority will remain in effect until all grants and/or cooperative agreements are awarded and the administration of the grants is completed. This temporary delegation of authority is applicable only if the assistance agreements are awarded prior to December 31, 2012, the date established by TSCA Title V, Section 501 as a deadline for award of such grants. This temporary delegation of authority may be redelegated to the Director, Office of Children's Health Protection and no further.

/s/
Lisa P. Jackson
Administrator



Temporary Delegation of Authority

February 1, 2012

SUBJECT: Temporary Delegation of Authority to Authorize Regional Administrators to Issue Minor and Major Nonattainment New Source Review Permits in Indian Country

TO: Regional Administrators
Regions 1-10

I hereby grant the EPA regional administrators temporary authority to implement the rules designated as "Federal Minor New Source Review Program in Indian Country" (the minor NSR permit program) and "Federal Major New Source Review Program for Nonattainment Areas in Indian Country" (the major nonattainment NSR permit program) promulgated pursuant to sections 301(a) and 301(d)(4) of the Clean Air Act (CAA) and codified at 40 CFR §§ 49.151-165 and 40 CFR §§ 49.166-175, respectively.

This temporary delegation authorizes regional administrators to exercise the authority under the minor NSR and major nonattainment NSR permit programs in Indian country that is assigned to the EPA Administrator under the terms of 40 CFR §§ 49.151-165 and §§ 49.166-175 in its entirety. This includes the authority to issue permit decisions under 40 CFR §§ 49.151-165 and §§ 49.166-175 and to take any other action assigned to the EPA Administrator under those regulations that the regional administrators determine is necessary to fully implement the two programs.

This temporary delegation of authority will remain in effect for one year from the date of approval unless extended or superseded by a subsequent delegation(s). This authority may be redelegated to the Division Director level in the regions and no further. If the authority is redelegated, all officials in the management chain of the redelegatee retain the authority to exercise the delegated duties.

/s/
Lisa P. Jackson
Administrator

January 28, 2004

MEMORANDUM

SUBJECT: Temporary Delegation to Approve and Administer Grants and Cooperative Agreements for Water Security Projects

TO: Assistant Administrator
Office of Water

Regional Administrators

You are hereby delegated the authority to approve and administer grants and cooperative agreements for water security projects to address any and all terrorist threats from funds appropriated for the Science and Technology Account, State and Tribal Assistance Grant Account, or the Environmental Programs and Management Account or any successor accounts, including projects authorized by Sections 401 and 402 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, P.L. 107-188, 116 Stat 594, and any subsequent public law; and to perform other activities necessary for the effective administration of those grants and cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2004, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Water or its Component Offices. The authority granted to the Assistant Administrator for Water may be redelegated to the Office Director level, or equivalent, and no further. The authority granted to Regional Administrators may be redelegated to the Division Director level, or equivalent, and no further.

/s/

Michael O. Leavitt

December 8, 2005

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under Clean Water Act for Signing the Federal Notice inviting comment on the “Policy regarding National Pollutant Discharge Elimination System Permit Requirements for Blended Wet Weather Discharges from Publicly Owned Wastewater Treatment Plants Serving Sanitary Sewer Collection Systems”

TO: Assistant Administrator
Office of Water

I hereby delegate to you the authority for a “one-time” temporary delegation of authority under Clean Water Act section 501(a) to sign the Federal Register Notice requesting comment on the “Policy Regarding National Pollutant Discharge Elimination System Permit Requirements for Blended Wet Weather Discharges from Publicly Owned Wastewater Treatment Plants Serving Sanitary Sewer Collection Systems.” Development of the policy itself must be coordinated with the Offices of the Administrator (Policy, Economics and Innovation), General Counsel, Research and Development, and Enforcement and Compliance Assurance.

This Delegation of Authority is limited to the purposes stated above and may be exercised only with the limitations of the Clean Water Act. This authority may not be re-delegated.

/s/
Stephen L. Johnson



Temporary Delegation of Authority

March 1, 2011

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize Assistant Administrator for the Office of Air and Radiation to Issue Decision on Prevention of Significant Deterioration Permit Application submitted by Avenal Power Center, LLC.

TO: Regina McCarthy
Assistant Administrator
Office of Air and Radiation

I hereby grant the assistant administrator for the Office of Air and Radiation the authority under section 165 of the Clean Air Act and U.S. Environmental Protection Agency regulations at 40 CFR § 52.21 and 40 CFR Part 124 to issue a final permit decision on the application for a Prevention of Significant Deterioration (PSD) submitted to EPA in February 2008 by Avenal Power Center, LLC. This application seeks a permit to construct a 600 MW (net) electric generating facility in Kings County, California, consisting of two GE 7FA combustion turbines generators, two heat recovery steam generators, one steam turbine generator, and associated equipment.

As to the procedures in 40 CFR Part 124, this delegation authorizes the assistant administrator for the Office of Air and Radiation to exercise authority applicable to PSD permit applications that is assigned to the Regional Administrator under the terms of 40 CFR Part 124. This includes the authority to issue a final permit decision under section 40 CFR § 124.15 and to take any other action assigned to a Regional Administrator under Part 124 that the assistant administrator determines is necessary to reach a final permit decision on the permit application described above. This delegation does not authorize the assistant administrator for the Office of Air and Radiation to exercise authority provided in section 124.19 of the regulations to consider any petition for review of the final permit decision, but authorizes the assistant administrator to publish notice of final agency action pursuant to section 124.19(f)(2).

This Temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superceded by a subsequent delegation(s). This authority may not be redelegated further.

References: Delegation 7-24.

□

Lisa P. Jackson
Administrator

October 18, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Perform Targeted Site Assessments at Brownfield Sites

TO: Assistant Administrator for Solid Waste and Emergency Response
Regional Administrators

I hereby delegate to the Assistant Administrator for Solid Waste and Emergency Response and to Regional Administrators, the authority to take all necessary actions to perform targeted site assessments at brownfield sites under Section 104(k)(2)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended. In addition, I hereby ratify prior targeted brownfields assessment actions taken by Headquarters and Regional staff.

This temporary Delegation of Authority is limited to the purposes stated above and will remain in effect for one year unless superseded by a permanent delegation of authority prior to its expiration. The Assistant Administrator for Solid Waste and Emergency Response may redelegate this authority to the Division Director level, or equivalent, and no further. Regional Administrators may redelegate this authority to the Branch Chief level, or equivalent, and no further.

/s/
Stephen L. Johnson
Administrator

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

TO: Assistant Administrators
General Counsel
Regional Counsels
Inspector General
Chief Financial Officer
Regional Administrators
Chief of Staff

Attached to this memorandum is a temporary delegation of authority regarding the settlement of administrative EEO claims or complaints filed against EPA. This temporary delegation of authority supersedes all other delegations of authority for the settlement of such claims and complaints, and will remain in effect for six months from the date of this memorandum, unless it is extended or superseded by a different delegation.

Please note that this temporary delegation may be exercised only with the concurrence of the EPA official referenced in paragraph 4 of the delegation. Please ensure that the appropriate management officials in your organizations are informed of this delegation.

Stephen L. Johnson

Attachment

December 21, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Deepwater Port Act to
Provide Recommendations to the Secretary of Transportation
Regarding the License Applications Submitted for the Proposed
Northeast Gateway Energy Bridge LLC and Neptune, LLC Facilities

TO: Robert W. Varney
Regional Administrator
Region I

You are hereby granted delegated authority under Deepwater Port Act section 5(e)(2), 33 U.S.C. § 1504(e)(2), to provide recommendations to the Secretary of Transportation, or his delegated subordinate, regarding the license applications for the proposed Northeast Gateway Energy Bridge, LLC and Neptune, LLC, offshore liquefied natural gas import terminal projects. The Offices of Water, Air and Radiation, and General Counsel must be consulted during the development of your recommendations.

This temporary Delegation of Authority will remain in effect until exercised, but in no event longer than one year, and is limited to the purposes stated above and may be exercised only with the limitations of the Deepwater Port Act. This authority may not be redelegated.

Stephen L. Johnson
/s/



Temporary Delegation of Authority

November 23, 2010

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Clean Air Act to Redesignate an Air Quality Planning Area in Arizona to Nonattainment for the 1987 24-hour PM₁₀ National Ambient Air Quality Standard

TO: Regional Administrator, Region IX

I hereby grant you temporary delegated authority under sections 107(d)(3), 301(a) and 301(d)(4) of the Clean Air Act, 42 U.S.C. §§ 7407(d)(3), 7601(a) and 7601(d)(4), to redesignate an Arizona air quality planning area, as defined in 40 CFR part 81, subpart C, or portion of such area, to nonattainment for the 1987 24-hour PM₁₀ National Ambient Air Quality Standard. This Temporary Delegation applies only to a PM₁₀ area in Arizona, applies to both state lands and Indian country located within the boundaries of the area to be redesignated, and is subject to the following limitations.

1. Prior to proposing action to redesignate an Arizona air quality planning area to nonattainment, the Regional Administrator or his/her designee must consult in advance with the Director of the Office of Air Quality Planning and Standards (OAQPS), or his/her designee;
2. In discussions with affected tribes expressing disagreement with a proposed action to redesignate an area to nonattainment, the Regional Administrator, or his/her designee, must include designated representatives of the Director of OAQPS; and
3. Prior to taking any final action on a proposal to redesignate an Arizona air quality planning area to nonattainment on which adverse comments were received, the Regional Administrator or his/her designee must consult in advance with the General Counsel or his/her designee.

References: Delegations 7-10, 7-21, and 7-40

This Temporary Delegation of Authority will remain in effect no longer than one year, and is limited to the purposes stated above. This authority may not be redelegated.

□

Lisa P. Jackson,
Administrator

November 17, 2006

MEMORANDUM

**SUBJECT: Temporary Delegation of Authority under the Deepwater Port Act to
Provide Recommendations to the Secretary of Transportation
Regarding the Revised License Application Submitted for the
Freeport-McMoran Energy, LLC for the Main Pass Energy Hub**

**TO: Richard Greene
Regional Administrator
Region VI**

You are hereby granted delegated authority under Deepwater Port Act section 5(e)(2), 33 U.S.C. 1504(e)(2), to provide recommendations to the Secretary of Transportation, or his delegated subordinated, regarding the revised license application for the Main Pass Energy Hub. The Office of Water, Air and Radiation, and General Counsel must be consulted during the development of your recommendations.

This temporary Delegation of Authority will remain in effect until exercised, but not to exceed one year, and is limited to the purposes stated above and may be exercised only with the limitations of the Deepwater Port Act. This authority may not be redelegated.

**/s/
Stephen L. Johnson**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 11 2011

THE ADMINISTRATOR

MEMORANDUM

SUBJECT: One-Time Delegation of Authority for the Purpose of Determining, Pursuant to Section 303(c)(4)(B) of the Clean Water Act, Whether the State of Illinois Needs New or Revised Water Quality Standards for Portions of the Chicago Area Waterway System

FROM: Lisa P. Jackson

TO: Nancy K. Stoner
Acting Assistant Administrator
Office of Water

I hereby delegate to you the authority to determine, pursuant to section 303(c)(4)(B) of the Clean Water Act, whether the state of Illinois needs new or revised water quality standards for portions of the Chicago Area Waterway System.

This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

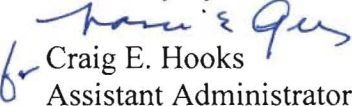


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

MEMORANDUM

SUBJECT: Request for a Temporary Delegation of Authority for the Purpose of Determining, Pursuant to Section 303(c)(4)(B) of the Clean Water Act, Whether the State of Illinois Needs New or Revised Water Quality Standards for Portions of the Chicago Area Waterway System

FROM:  Craig E. Hooks
Assistant Administrator

TO: Lisa P. Jackson
Administrator

ISSUE

The purpose of this memorandum is to request a temporary delegation of authority to the Assistant Administrator for the Office of Water to determine, pursuant to section 303(c)(4)(B) of the Clean Water Act, whether the state of Illinois needs new or revised water quality standards for portions of the Chicago Area Waterway System.

BACKGROUND

The U.S. Environmental Protection Agency's regulations at 40 C.F.R. 131.20(a) require a state to re-examine every three years any water body segment with water quality standards that do not include uses specified in section 101(a)(2) of the Act to determine if any new information has become available. This regulation further requires that "[i]f such new information indicates that the uses specified in section 101(a)(2) of the Act are attainable, the State shall revised its standards accordingly."

The EPA Region 5 staff have drafted a CWA section 303(c)(4)(B) determination. The determination says that the state of Illinois needs new or revised water quality standards for the following segments of the CAWS: Calumet-Sag Channel, Little Calumet River from its junction with the Grant Calumet River to the Calumet-Sag Channel, South Branch of the Chicago River, North Branch of the Chicago River from its confluence with the North Shore Channel to its confluence with the South Branch, and the North Shore Channel excluding the segment extending from the North Side Sewage Treatment Works to Lake Michigan. It is hoped that the Illinois Pollution Control Board will finalize its current proceedings regarding these waters and adopt use designations and criteria to protect recreation in and on the water. If the IPCB does not finalize this procedure, the EPA will be required to propose new or revised water quality standards promptly and consistent with the determination.

This temporary delegation of authority may not be redelegated.

REVIEW AND ANALYSIS

Per Office of Human Resources directive rules, this proposed temporary delegation does not require agencywide review since the delegation is in effect for the limited duration of one year, and does not automatically renew.

This delegation will remain in effect for a period of one year from the date of the temporary delegation, unless extended or superseded by a subsequent delegation. The Region 5 General Counsel coordinated this request. The Office of General Counsel concurred on this request.

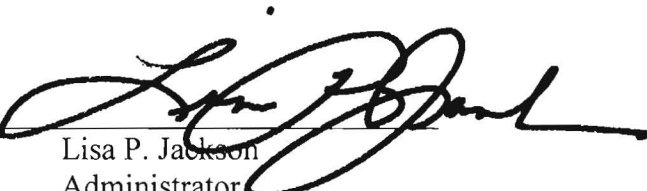
RECOMMENDATION

I recommend approval of this temporary delegation of authority for the purpose of determining, pursuant to Section 303(c)(4)(B) of the Clean Water Act, that the state of Illinois needs new or revised water quality standards for portions of the Chicago Area Waterway System.

SIGNATURE

Temporary Delegation of Authority for the Purpose of Determining, Pursuant to Section 303(c)(4)(B) of the Clean Water Act, that the State of Illinois Needs New or Revised Water Quality Standards for Portions of the Chicago Area Waterway System

Approved: _____


Lisa P. Jackson
Administrator

Date: _____

MAY 11 2011

Attachment

January 11, 2007

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Children's Health Protection and Environmental Education to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Director
Office of Children's Health Protection and Environmental Education

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to susceptible populations, including children and the aging under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may be redelegated to the Regional Administrators or equivalents.

APPROVED:

Stephen L. Johnson
/s/

October 31, 2006

MEMORANDUM

SUBJECT: Temporary Delegation of Authority for Missouri Water Quality Standards

TO: Benjamin H. Grumbles
Assistant Administrator, Office of Water

You are hereby authorized to exercise the Administrator's authority pursuant to section 303(c)(4)(B) of the Clean Water Act to make a determination whether the State of Missouri needs new or revised water quality standards. This is a temporary Delegation of Authority and will remain in effect for a period of one year. The authority granted to the Assistant Administrator may not be redelegated.

/s/
Stephen L. Johnson
Administrator



Temporary Delegation of Authority

August 25, 2010

SUBJECT: Temporary Delegations of Authority under Safe Drinking Water Act Section 1457 for Determining and Testing of Substances for Endocrine Disruption

TO: Peter S. Silva
Assistant Administrator
Office of Water

Stephen A. Owens
Assistant Administrator
Office of Chemical Safety and Pollution Prevention

I hereby grant to the Assistant Administrator for Water (OW) the authority under the Safe Drinking Water Act section 1457, 42 U.S.C. §300j-17, to determine, from the substances that are (a) subject to regulation under a National Primary Drinking Water Regulation, (b) listed on the third Candidate Contaminant List or (c) designated other substances identified as priorities of concern for drinking water, those substances that may be found in drinking water to which a substantial population may be exposed and to transmit a list of those substances to the Assistant Administrator for Chemical Safety and Pollution Prevention (OCSPP).

In addition, upon receipt of such list, I hereby grant to the Assistant Administrator for OCSPP the authority to perform the EPA functions and responsibilities relative to the testing of chemicals pursuant to section 408(p) of the Federal Food, Drug, and Cosmetic Act (FFDCA) [21 U.S.C. 346a(p)] and 1457 of the Safe Drinking Water Act (SDWA) [42 U.S.C. 300j-17]. This includes but is not limited to the authority to provide for testing of the chemicals on that list pursuant to the FFDCA section 408(p)(5) [21 U.S.C. 346a(p)(5)] and 1457 of the Safe Drinking Water Act (SDWA) [42 U.S.C. 300j-17] and the authority to provide for public notification of the list of chemicals. While I am granting the Assistant Administrator for OCSPP the authority to sign the test orders for the chemicals pursuant to the authority under the SDWA, I expect that OCSPP will seek concurrence or coordinate with OW before issuing the test orders.

These temporary Delegations of Authority will remain in effect until exercised, but in no event longer than one year, and are limited to the purposes stated above. The authority herein delegated to the Assistant Administrator for Water may be re-delegated to the Director of the Office of Ground Water and Drinking Water (OGWDW) in the Office of Water. If the authority is delegated to the Director of OGWDW, it may be re-delegated to the Division Director level but may not be re-delegated further. The authority herein delegated to the Assistant Administrator for Chemical Safety and Pollution Prevention may be re-delegated as provided in EPA Delegation 6-4. Endocrine Disruptor Screening Program.

□

Lisa P. Jackson
Administrator

January 11, 2007

MEMORANDUM

SUBJECT: Temporary One Year Delegation of Authority to Authorize the Office of the Administrator to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Deputy Chief of Staff
Office of the Administrator

You are hereby granted delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives directly contributing to the implementation of EPA's mission under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may be redelegated to Associate Administrators and Office Directors, or equivalents, within the Office of the Administrator.

APPROVED:

Stephen L. Johnson
/s/

June 20, 2003

MEMORANDUM

SUBJECT: Temporary Delegation to Approve and Administer Grants and Cooperative Agreements for State and Tribal Response Programs

TO: Regional Administrators

You are hereby delegated the authority to exercise the Agency's authority pursuant to Section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, to make determinations and take actions necessary to approve grants for state and tribal response program funding.

This temporary delegation of authority will remain in effect until September 30, 2003, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller and the Office of Grants and Debarment. This authority shall be exercised subject to approved funding levels. The authority granted to Regional Administrators may be redelegated to the Branch Chief level, or equivalent, and no further.

/s/

Christine Todd Whitman

June 20, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Approve and Administer Grants and Cooperative Agreements under the Toxic Substances Control Act

TO: Regional Administrators

You are hereby delegated authority to approve and administer grants and cooperative agreements for funds issued under the Toxic Substances Control Act Section 28, State Programs, for projects related to the Emergency Planning and Community Right-to-Know Act and to perform other activities necessary for the effective administration of those grants and cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2004, unless extended or superseded by a subsequent delegation(s). This one-time delegation of authority is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Solid Waste and Emergency Response or its component Offices. The authority granted to Regional Administrators may be redelegated to the Division Director level, or equivalent, and no further.

/s/

Christine Todd Whitman

February 2, 2007

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the *Federal Register* Notice Inviting Comment on the Expedited Approval of Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act

TO: Benjamin H. Grumbles
Assistant Administrator
Office of Water

I hereby delegate to the Assistant Administrator for the Office of Water the authority to sign the *Federal Register* Notice titled, "Expedited Approval of Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures." This Notice states that EPA plans to use authority in Section 1401(10(D) of the Safe Drinking Water Act to develop an expedited process for establishing alternative testing methods for previously promulgated methods.

This delegation is limited to the purpose stated above and may be exercised only within the limitations of the Safe Drinking Water Act. This authority may not be re-delegated.

Stephen L. Johnson
/s/

April 21, 2005

MEMORANDUM

SUBJECT: Temporary Delegation to Enter into Grants and Cooperative Agreements with School Districts for Necessary Upgrades of Diesel Bus Fleets

TO: Assistant Administrator for Air and Radiation
Regional Administrators

You are hereby delegated the authority to enter into grants and cooperative agreements with school districts relating to necessary upgrades of their diesel bus fleets pursuant to any public law which authorizes such grants and cooperative agreements (e.g., H.R. Consolidated 4818, Public Law 108-447, enacted December 8, 2004) and in accordance with the following limitations:

This delegation is limited to the purposes stated above and may be exercised only within the limitations of applicable law and regulation.

1. Awards are subject to any guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, and the Office of Air and Radiation.
2. All cooperative agreements must be approved/awarded no later than March 31, 2006.
3. This authority may be redelegated by the Assistant Administrator to the Office Director level, or equivalent, and no further.
4. This temporary delegation of authority will remain in effect until March 31, 2006, unless extended or superseded by a subsequent delegation.

/s/

Stephen L. Johnson
Acting Administrator

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Deepwater Port Act to Provide Recommendations to the Secretary of Transportation Regarding the License Application Submitted by the ConocoPhillips Company for the Proposed Compass Port LNG Terminal

TO: Jimmy Palmer
Regional Administrator
Region IV

You are hereby granted delegated authority under the Deepwater Port Act section 5(e)(2), 33 U.S.C. § 1504(e)(2), to provide recommendations to the Secretary of Transportation, or his delegated subordinate, regarding the license application for the Compass Port LNG Terminal. The Offices of Water, Air and Radiation and General Counsel must be consulted during the development of your recommendations.

This temporary Delegation of Authority will remain in effect until exercised, but in no event longer than one year. It is limited to the purposes stated above and may be exercised only with the limitations of the Deepwater Port Act. This authority may not be redelegated.

/s/
Stephen L. Johnson

June 10, 2005

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Signing the Decision on the Petition from the Chesapeake Bay Foundation Concerning Action to Address Nutrient Pollution in the Chesapeake Bay Watershed

TO: Benjamin H. Grumbles
Assistant Administrator
Office of Water

I hereby delegate to the Assistant Administrator, Office of Water the authority to sign the Agency's decision on a petition requesting that EPA amend, issue or repeal rules and take corrective action to address nutrient pollution from significant point sources in the Chesapeake Bay Watershed dated December 1, 2003, which was sent to Michael Leavitt by the Chesapeake Bay Foundation.

This Delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

□

Stephen L. Johnson

June 21, 2007

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Propose a Rule Approving or Disapproving the Fort Peck Assiniboine and Sioux Tribes in Montana Application for Primary Enforcement Authority to Run their Tribal Underground Injection Control Program

TO: Regional Administrator, Region 8
U.S. Environmental Protection Agency

I hereby delegate to the Regional Administrator, Region 8, the authority to perform a variety of U.S. Environmental Protection Agency functions related to proposing a rule approving or disapproving the Tribe's Underground Injection Control Program application for primary enforcement authority under the Safe Drinking Water Act.

This delegation is limited to the purpose stated above and in the attached delegation instructions. The delegation may be exercised only within the limitations of the Safe Drinking Water Act. This is a temporary delegation of authority and will remain in effect for a period of one year unless it is superseded by a permanent delegation or is otherwise extended.

Stephen L. Johnson

Attachment

TEMPORARY DELEGATION OF AUTHORITY INSTRUCTIONS
Fort Peck Assiniboine and Sioux Tribes in Montana UIC Primacy Application

1. **AUTHORITY.** To take all necessary actions to propose rules approving or disapproving the Fort Peck Assiniboine and Sioux Tribes in Montana primacy application for the underground injection control program under the Safe Drinking Water Act, Part C, including, but not limited to, providing an opportunity for a public hearing.
2. **TO WHOM DELEGATED.** Regional Administrator, Region 8.
3. **LIMITATIONS.**
 - a) The Regional Administrator must obtain the concurrence of the Assistant Administrator for Water, or his or her designee, before exercising this authority.
 - b) This authority does not include the authority to issue a final rule approving or disapproving the Fort Peck Tribes' primacy application for the underground injection control program.
 - c) The Regional Administrator must obtain the concurrence of the Regional Counsel before exercising this authority.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.**
 - a) Sections 1422(b), 1422(c), 1422(e), 1425, 1450(a)(2), and 1451 of the Safe Drinking Water Act

Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

1. AUTHORITY.

On behalf of the U.S. Environmental Protection Agency (EPA or Agency), to enter into settlement agreements that resolve administrative claims and complaints brought against the Agency under various EEO authorities, including the Equal Pay Act of 1963, as amended, 29 U.S.C. 206(d) et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; Executive Orders 11478, 12106, 13145, and 13152; and the Equal Employment Opportunity Commission (EEOC) regulations at 29 C.F.R. Part 1614. This includes the authority to settle any and all of a complainant's pending administrative EEO claims and complaints, and mixed case appeals filed by an appellant before the Merit Systems Protection Board (MSPB).

2. TO WHOM DELEGATED.

- a. The Chief of Staff, Assistant Administrators, Regional Administrators, General Counsel, Inspector General, and Chief Financial Officer, for settlement agreements with complainants in their respective organizations prior to the complainant requesting a hearing before the EEOC or MSPB.
- b. The EPA Office of General Counsel (OGC), Office of Regional Counsel (ORC), or Office of Inspector General (OIG) attorney designated by OGC, ORC, or OIG to represent the Agency after a complainant requests a hearing before the EEOC or files a mixed case appeal before the MSPB.

3. REDELEGATION AUTHORITY.

- a. The authority in paragraph 2a may be redelegated to management officials within the delegates' respective organizations. This authority may not be redelegated lower than the Division Director level, or equivalent.
- b. The authority in paragraph 2b may not be redelegated.

4. LIMITATIONS.

- a. The settlement authority provided under this delegation may only be exercised with the concurrence of the Director, Office of Civil Rights (OCR), on acceptable parameters for settlement. This concurrence must be obtained as early as practical. If settlement negotiation results in settlement terms that deviate from the parameters concurred upon by the Director, OCR, then the delegatee or re-delegatee must obtain concurrence on the new terms or new parameters before entering into a settlement agreement. The Director, OCR, at his or her discretion, may waive the concurrence requirement, in writing, at any time.
- b. The settlement authority provided under paragraph 2a may only be exercised after legal review of a proposed settlement agreement by OGC, ORC, or OIG Office of Counsel, as applicable.
- c. The settlement authority provided under paragraph 2b may only be exercised with the concurrence of the appropriate EPA management official.
- d. The designation of OIG attorneys to represent the Agency in the processing of employee complaints covered by this delegation will be in accordance with the provisions of the Memorandum of Understanding Between the General Counsel and the Inspector General of the United States Environmental Protection Agency, dated September 8, 2004.
- e. Subject to paragraph 4a, an OGC, ORC, or OIG attorney may engage in discussions and negotiations that may lead to settlement of a claim or complaint by an official who has settlement authority under this delegation.

5. ADDITIONAL REFERENCES.

- a. EPA Delegation 1-34, Litigation Representation
- b. EPA Delegation 1-83, Final Decisions on Formal Complaints of Discrimination
- c. 29 C.F.R. Part 1614

June 4, 2007

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

TO: Assistant Administrators
General Counsel
Regional Counsels
Inspector General
Chief Financial Officer
Regional Administrators
Chief of Staff

Attached to this memorandum is a temporary delegation of authority regarding the settlement of administrative EEO claims or complaints filed against EPA. This temporary delegation of authority supersedes all other delegations of authority for the settlement of such claims and complaints, and will remain in effect for six months from the date of this memorandum, unless it is extended or superseded by a different delegation.

Please note that this temporary delegation may be exercised only with the concurrence of the EPA official referenced in paragraph 4 of the delegation. Please ensure that the appropriate management officials in your organizations are informed of this delegation.

Stephen L. Johnson

Attachment



Temporary Delegation of Authority

Temporary Delegation of Authority to Settle Administrative Equal Employment Opportunity (EEO) Claims and Complaints

Approved: 06/04/07

1. AUTHORITY.

On behalf of the U.S. Environmental Protection Agency (EPA or Agency), to enter into settlement agreements that resolve administrative claims and complaints brought against the Agency under various EEO authorities, including the Equal Pay Act of 1963, as amended, 29 U.S.C. 206(d) et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.; Executive Orders 11478, 12106, 13145, and 13152; and the Equal Employment Opportunity Commission (EEOC) regulations at 29 C.F.R. Part 1614. This includes the authority to settle any and all of a complainant's pending administrative EEO claims and complaints, and mixed case appeals filed by an appellant before the Merit Systems Protection Board (MSPB).

2. TO WHOM DELEGATED.

a. The Chief of Staff, Assistant Administrators, Regional Administrators, General Counsel, Inspector General, and Chief Financial Officer, for settlement agreements with complainants in their respective organizations prior to the complainant requesting a hearing before the EEOC or MSPB.

b. The EPA Office of General Counsel (OGC), Office of Regional Counsel (ORC), or Office of Inspector General (OIG) attorney designated by OGC, ORC, or OIG to represent the Agency after a complainant requests a hearing before the EEOC or files a mixed case appeal before the MSPB.

3. REDELEGATION AUTHORITY.

- a. The authority in paragraph 2a may be redelegated to management officials within the delegates' respective organizations. This authority may not be redelegated lower than the Division Director level, or equivalent.
- b. The authority in paragraph 2b may not be redelegated.

4. LIMITATIONS.

- a. The settlement authority provided under this delegation may only be exercised with the concurrence of the Director, Office of Civil Rights (OCR), on acceptable parameters for settlement. This concurrence must be obtained as early as practical. If settlement negotiation results in settlement terms that deviate from the parameters concurred upon by the Director, OCR, then the delegatee or re-delegatee must obtain concurrence on the new terms or new parameters before entering into a settlement agreement. The Director, OCR, at his or her discretion, may waive the concurrence requirement, in writing, at any time.
- b. The settlement authority provided under paragraph 2a may only be exercised after legal review of a proposed settlement agreement by OGC, ORC, or OIG Office of Counsel, as applicable.
- c. The settlement authority provided under paragraph 2b may only be exercised with the concurrence of the appropriate EPA management official.
- d. The designation of OIG attorneys to represent the Agency in the processing of employee complaints covered by this delegation will be in accordance with the provisions of the Memorandum of Understanding Between the General Counsel and the Inspector General of the United States Environmental Protection Agency, dated September 8, 2004.
- e. Subject to paragraph 4a, an OGC, ORC, or OIG attorney may engage in discussions and negotiations that may lead to settlement of a claim or complaint by an official who has settlement authority under this delegation.

5. ADDITIONAL REFERENCES.

- a. EPA Delegation 1-34, Litigation Representation
- b. EPA Delegation 1-83, Final Decisions on Formal Complaints of Discrimination
- c. 29 C.F.R. Part 1614

September 21, 2005

MEMORANDUM

SUBJECT: One-Time Delegation to Notify Congress under the Authority of EPCRA, Section 313(i)(5)

TO: Kimberly T. Nelson
Assistant Administrator and Chief Information Officer

You are hereby delegated the authority to notify Congress of the Agency's intention to initiate rulemaking to modify the reporting frequency of the Toxics Release Inventory pursuant to EPCRA, Section 313(i)(5), and in accordance with the following limitations:

1. This one-time delegation of authority will remain in effect until September 30, 2006, unless extended or superseded by a subsequent delegation.
2. This one-time delegation of authority may not be delegated beyond the Assistant Administrator level.

□
Stephen L. Johnson

January 18, 2007

MEMORANDUM

SUBJECT: Temporary Delegation of Authority Pursuant to Section (1)(h)(1) of the Dakota Water Resources Act of 2000 to Consult with the Secretary of Interior and Secretary of State

TO: Robert E. Roberts
Regional Administrator, Region 8

You are hereby delegated the authority to exercise the Administrator's authority pursuant to Section (1)(h)(1) of the Dakota Water Resources Act of 2000, Pub.L. No. 106-554, 114 Stat. 2763 (DWRA), to consult with the Secretary of Interior and Secretary of State, and to take all other necessary actions to carry out EPA's responsibilities under the DWRA, regarding whether adequate treatment can be provided to meet the requirements of the Treaty between the United States and Great Britain relating to Boundary Waters Between the United States and Canada (a.k.a. the Boundary Waters Treaty of 1909).

This is a temporary delegation of authority and will remain in effect for a period of one year, unless extended or superseded by a subsequent delegation(s). The authority granted to the Regional Administrator may be redelegated to the Assistant Regional Administrator level, and no further.

Stephen L. Johnson
Administrator
/s/

May 17, 2007

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Deepwater Port Act to
Provide Recommendations to the Secretary of Transportation
Regarding the License Application Submitted for the Proposed
Cabrillo Port

TO: Wayne Nastri
Regional Administrator
Region IX

You are hereby granted delegated authority under Deepwater Port Act section 5(e)(2), 33 U.S.C. § 1504(e)(2), to provide recommendations to the Secretary of Transportation, or his delegated subordinate, regarding the license application for the proposed Cabrillo Port offshore liquefied natural gas import terminal project. The Offices of Water, Air and Radiation, and General Counsel must be consulted during the development of your recommendations.

This temporary Delegation of Authority will remain in effect until exercised, but in no event longer than one year, and is limited to the purposes stated above and may be exercised only within the limitations of the Deepwater Port Act. This authority may not be redelegated.

Stephen L. Johnson

December 28, 2005

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Children's Health Protection to Approve and Administer Assistance Agreements under EPA Delegation 1-47

TO: Director
Office of Children's Health Protection and Environmental Education

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to susceptible populations, including children and the aging under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may not be redelegated further.

/s/
Stephen L. Johnson

December 28, 2005

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of the Administrator to Approve and Administer Assistance Agreements under EPA Delegation 1-47

TO: Deputy Chief of Staff
Office of the Administrator

You are hereby granted delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives directly contributing to the implementation of EPA's mission under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may be redelegated to Associate Administrators and Office Directors, or equivalents, within the Office of the Administrator.

/s/
Stephen L. Johnson



Temporary Delegation of Authority

Temporary Delegation of Authority Assistance Agreements Targeted Air Shed Program

1200
06/07/2010

1. **AUTHORITY.** Fiscal Year 2010 Appropriations Act P.L.111-88 contained a line item for 20 million for Targeted Air Shed Assistance Agreements.
2. **TO WHOM DELEGATED.** Assistant Administrator for Air and Radiation
3. **LIMITATIONS.** No Limitations.
4. **REDELEGATION AUTHORITY.** May be redelegated to Regional Administrators and Regional Air Division Directors.

□

Lisa P. Jackson
Administrator

April 27, 2005

MEMORANDUM

SUBJECT: One-time Delegation of Authority for Signing the Decision on the
Petition from the American Coke and Coal Chemicals Institute

TO: Benjamin H. Grumbles
Assistant Administrator
Office of Water

I hereby delegate to you the authority to sign the Agency's decision responding to the October 4, 2004, petition for reconsideration, submitted by the American Coke and Coal Chemicals Institute, requesting EPA to reconsider, or alternatively, to revise in a new rulemaking, certain aspects of the Clean Water Act Affluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category.

This Delegation of Authority is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. The authority may not be redelegated.

/s/
Stephen L. Johnson
Acting Administrator

December 23, 2003

MEMORANDUM

SUBJECT: One-Time Delegation of Authority for the Purpose of Signing the Decision on the Petition Seeking an Emergency Moratorium on the Land Application of Sewage Sludge

TO: Assistant Administrator
Office of Water

You are hereby delegated the authority to sign the Agency's decision on the Petition Seeking an Emergency Moratorium on the Land Application of Sewage Sludge, dated October 7, 2003, which was sent to the Administrator by the Center for Food Safety on behalf of itself and 72 other organizations.

This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

/s/
Michael O. Leavitt

December 23, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Children's Health Protection to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Director
Office of Children's Health Protection

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to susceptible populations, including children and the aging under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This Temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may not be redelegated further.

/s/
Michael O. Leavitt

December 23, 2003

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of Civil Rights to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Director
Office of Civil Rights

You are hereby delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives related to environmental studies, demonstrations, training and public education under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This Temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may not be redelegated further.

/s/
Michael O. Leavitt

November 18, 2004

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Authorize the Office of the Administrator to Approve and Administer Assistance Agreements Under EPA Delegation 1-47

TO: Deputy Chief of Staff
Office of the Administrator

You are hereby granted delegated authority to approve and administer single media and multi-media assistance agreements to carry out initiatives directly contributing to the implementation of EPA's mission under EPA Delegation 1-47, *Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships*. Authority for this delegation is provided pursuant to:

Clean Water Act, Section 104
Federal Insecticide, Fungicide, and Rodenticide Act, Section 20
Clean Air Act, Section 103
Solid Waste Disposal Act, Section 8001
Safe Drinking Water Act, Section 1442
Toxic Substances Control Act, Section 10
Marine Protection, Research and Sanctuaries Act, Section 203
Comprehensive Environmental Response, Compensation and Liability Act, Section 311
National Environmental Policy Act, Section 102(2)(F) for international awards; and
Indian Environmental General Assistance Program Act.

This temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Acts. This authority may be redelegated to Associate Administrators and Office Directors, or equivalents, within the Office of the Administrator.

/s/

Michael O. Leavitt



Temporary Delegation of Authority

January, 27, 2010

MEMORANDUM

SUBJECT: Temporary Delegation of Authority under the Clean Air Act to Redesignate Indian Country to Attainment for any National Ambient Air Quality Standard Where no Tribe is Authorized to Request Such Redesignation and to Reclassify Indian Country Within Ozone Nonattainment Areas to Higher Classifications In Conjunction with a State Request for Voluntary Reclassification

TO: Acting Regional Administrator, Region IX

I hereby grant you temporary delegated authority under sections 107(d), 181(b)(3), 301(a) and 301(d)(4) of the Clean Air Act, 42 U.S.C. §§ 7407(d), 7511(b)(3), 7601(a) and 7601(d)(4), to redesignate Indian country within air quality planning areas, as defined in 40 CFR part 81, subpart C, to attainment for any National Ambient Air Quality Standard where no tribe is authorized to request such redesignation and to reclassify Indian country within existing 8-hour ozone nonattainment areas to higher classifications, in conjunction with a state request for voluntary reclassification under section 181(b)(3), 42 U.S.C. § 7511(b)(3). This temporary delegation applies only to Indian country located within Region IX, and is subject to the following limitations.

1. Prior to proposing action to redesignate or reclassify Indian country, the Regional Administrator or his/her designee must consult in advance with affected tribes and the Director of the Office of Air Quality Planning and Standards (OAQPS), or his/her designee;
2. In discussions with affected tribes expressing disagreement with a proposed action to redesignate or reclassify Indian country, the Regional Administrator, or his/her designee, must include designated representatives of the Director of OAQPS; and
3. Prior to taking any final action on a proposal to redesignate or reclassify Indian country on which adverse comments were received, the Regional Administrator or his/her designee must consult in advance with the General Counsel or his/her designee.

References: Delegations 7-10 and 7-110

This Temporary Delegation of Authority will remain in effect no longer than one year, and is limited to the purposes stated above. This authority may not be redelegated.

IS

Lisa P. Jackson,
Administrator

August 22, 2001

MEMORANDUM

SUBJECT: One-Time Delegation of Authority to Approve, Award, and Administer a Grant
Pursuant to Public Law 107-20

TO: Jack McGraw
Acting Regional Administrator, Region 8

You are hereby delegated the authority to approve, award, and administer a Congressionally-earmarked grant to the Salt Lake Organizing Committee for the Olympic Winter Games of 2002 to carry out environmental activities pursuant to Public Law 107-20.

This is a one-time delegation of authority and it expires on December 31, 2001. This authority may not be redelegated further.

/s/

Christine Todd Whitman




THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JAN 14 2014

MEMORANDUM

SUBJECT: Approval of Revision to Delegation of Authority 1-123 Grants and Cooperative Agreements to Further Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement

FROM: Gina McCarthy 

TO: Susan Hedman, Region 5 Administrator
Great Lakes National Program Manager

I hereby grant you delegated authority for Region 5 Delegation of Authority 1-123 related to the Grants and Cooperative Agreements to Further Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement.

1-123. Grants and Cooperative Agreements to Further Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement. (1200 TN 613)

1. AUTHORITY.

To take all necessary actions to approve grants and/or cooperative agreements with governmental entities, nonprofit organizations, institutions and individuals for planning, research, monitoring, outreach and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

2. TO WHOM DELEGATED.

The authority in section 1 is delegated to the Region 5 administrator as the Great Lakes national program manager.

3. LIMITATIONS.

- a. The authority in section 1 is limited to the purposes stated above and must be exercised in accordance with applicable laws, regulations and U.S. Environmental Protection Agency's policies and procedures.
- b. Before exercising the authority in section 1 for grants and/or cooperative agreements that fund projects located in whole or in part within EPA Region 2 or 3, the delegatee in section 2 shall consult in advance with the regional administrator or designee of the affected region.
- c. This delegation does not include the authority to approve funding for basic scientific research that falls under the purview of the agency's Office of Research and Development or any successor to ORD.

4. REDELEGATION.

The authority in section 1 may be redelegated to the Great Lakes National Program Office director and/or to the Region 5 Office of Water division director.

An official who redelegates authority does not divest herself or himself of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest level of delegated authority. An official who redelegates authority may revoke such redelegation at any time.

5. ADDITIONAL REFERENCES.

- a. Great Lakes Restoration Initiative Action Plan.
- b. Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 Pub. L. 111-88, and accompanying Joint Explanatory Statement of the Committee of Conferences.
- c. Great Lakes Water Quality Agreement.
- d. CWA § 118, 33 U.S.C. § 1268.
- e. Delegation 1-14-A.
- f. Memorandum, January 13, 1989, from Administrator Lee M. Thomas, designating the Regional Administrator, Region 5, as National Program Manager for the Great Lakes.

AUTHORITY DELEGATED FROM THE ADMINISTRATOR...

Does not Include Redelegations of Authority

[NOTE: A delegation may be delegated to more than one senior official in the Agency; therefore, you may find that a certain delegation appears under more than one office.]

TO THE REGIONAL ADMINISTRATORS...

Region II

Chapter 9 - SAFE DRINKING WATER ACT

[9-46](#) Implementation of Section 1443(d) of the Safe Drinking Water Act of 1996

Chapter 14 - COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

[14-20-A](#) Love Canal Cooperative Agreement for Maintenance or Properties

[14-20-B](#) Love Canal Cooperative Agreements and Grants

Chapter 18 - RIVER AND HARBOR ACT

[1818-1](#) Contained Dredging Spoil Facilities

Region III

Chapter 12 - TOXIC SUBSTANCES CONTROL ACT

[12-30](#) Region III Radon Demonstration Programs

Chapter 18 - RIVER AND HARBOR ACT

[18-1](#) Contained Dredging Spoil Facilities

Region VI

Chapter 9 - SAFE DRINKING WATER ACT (SDWA)

[9-2-B](#) Withdrawal of Underground Injection Control Program Approval from the State of Alabama Under Part C

Chapter 35 - COASTAL WETLANDS PLANNING, PROTECTION, AND RESTORATION ACT (CWPPRA)

[35-1](#) Implementation of CWPPRA Responsibilities, As Applied to the States of Louisiana and Texas

Region V

Chapter 14 - COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

[14-34](#) Waiver of Permit Requirements in the State of Illinois

Chapter 18 - RIVER AND HARBOR ACT

[18-1](#) Contained Dredging Spoil Facilities

Region X

Chapter 20 - ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT

[20-1](#) Decisions and Findings Under ANILCA

All 10 Regions

Chapter 1 - GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

[1-11](#) Interagency Agreements

[1-90](#) Regional Geographic Initiatives Assistance Funding for Regional Initiatives

Chapter 2 - CLEAN WATER ACT

[2-99](#) Award of Grants and Cooperative Agreements for Environmental Restoration Under the Exxon Valdez Settlement Fund

[2-101](#) Uniform National Discharge Standards--Determinations for a No-Discharge Zone by State Prohibition

AUTHORITY DELEGATED FROM THE ADMINISTRATOR...

Does not Include Redelegations of Authority

[NOTE: A delegation may be delegated to more than one senior official in the Agency; therefore, you may find that a certain delegation appears under more than one office.]

[2-102](#) Uniform National Discharge Standards--Establishment of a No-Discharge Zone by EPA Prohibition

Chapter 5 - FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

[5-2](#) Certification of Applicators

[5-15-B](#) Administrative Enforcement: Issuance of Consent Orders and Final Orders

[5-17-A](#) Civil Judicial Enforcement Actions

Chapter 7 - CLEAN AIR ACT

[7-2](#) Approval of State Procedures to Implement Federal Rules Under the Clean Air Act, Section 183(e)

[7-11](#) Grants and Cooperative Agreements for Investigations, Demonstrations, Surveys and Studies

[7-115](#) Implementation of Federal Operating Permits Program

[7-134](#) Clean Air Act Citizen Awards Program

[7-135](#) Approval of State Procedures to Implement Federal Rules Under the Clean Air Act

[7-136](#) Approval of State Operating Permit Programs

[7-139](#) Implementation and Enforcement of 111(d)(2) and 111(d)/(2)/129(b)(3) Federal Plans

Chapter 8 - SOLID WASTE DISPOSAL ACT

[8-45-a](#) Actions on Petitions Requesting a Variance from Treatment Standards for One-Time Wastes

[8-45-b](#) Actions on Petitions Requesting a Variance from a Treatment Standard for Contaminated Soil and/or Debris that are Site-Specific

[8-51](#) Actions on "No-Migration" Petitions

Chapter 9 - SAFE DRINKING WATER ACT

[9-7-A](#) Finding and Notification of Noncompliance - Part B

[9-41](#) Award of Grants under Section 1452 of the Safe Drinking Water Act

[9-47](#) Administrative Penalty Actions Not to Exceed \$5,000

[9-58](#) Program Approval for State Source Water Assessment Programs under Section 1453 and Source Water Quality Protection Partnership Petition Programs under Section 1454.

[9-62](#) Administrative Penalty Actions Against a Federal Agency for Violations of the Safe Drinking Water Act

[9-65](#) Determination of Withholding from a State Capitalization Grant Award for Capacity Development Programs Under Section 1452(a)(1)(G)(i) with Regard to Compliance with Section 1420(a) and Section 1420(c) of the SDWA

Chapter 11 - NOISE CONTROL ACT

[11-6-D](#) Emergency TRO's

[11-10](#) Noise Control Program Grants and Cooperative Agreements

Chapter 12 - TOXIC SUBSTANCES CONTROL ACT

[12-1](#) Inspections and Subpoenas

[12-2-A](#) Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

[12-2-B](#) Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements

[12-2-C](#) Administrative Enforcement: Issuance of Consent Orders and Final Orders

[12-2-D](#) Administrative Enforcement: Signing Penalty Remittance Agreements and Remittance Orders

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AUTHORITY DELEGATED FROM THE ADMINISTRATOR...

Does not Include Redelegations of Authority

[NOTE: A delegation may be delegated to more than one senior official in the Agency; therefore, you may find that a certain delegation appears under more than one office.]

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AUTHORITY DELEGATED FROM THE ADMINISTRATOR...
Does not Include Redelegations of Authority

[NOTE: A delegation may be delegated to more than one senior official in the Agency; therefore, you may find that a certain delegation appears under more than one office.]

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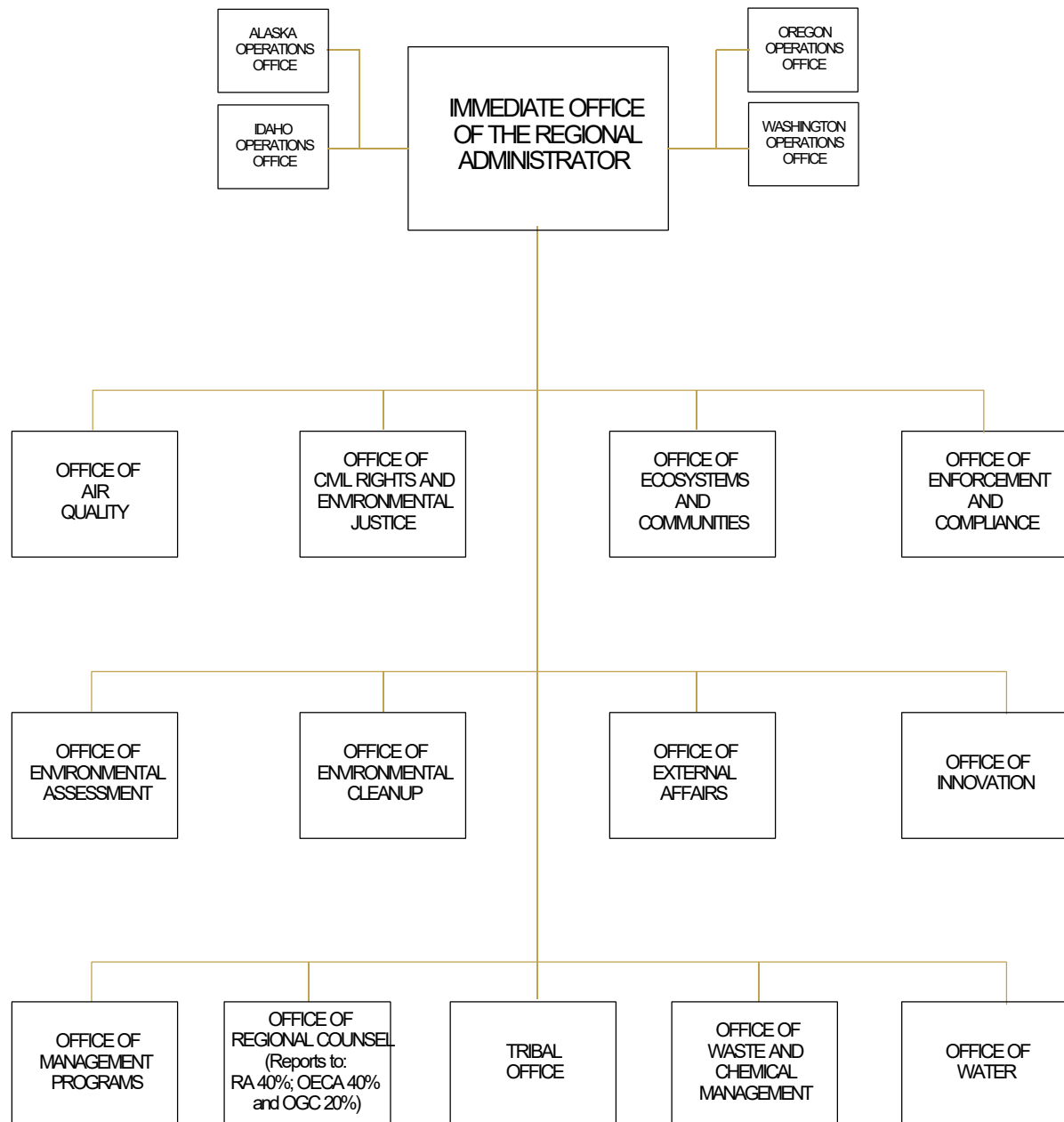
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REGION X
(Seattle, WA)

REGION X ORGANIZATIONAL CHART



REGION X FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** This is the office of the Regional Administrator (RA), providing the primary political contact for EPA Headquarters, other agencies, states and tribes. It is responsible for leading the Region, for setting organizational policy, priorities, and culture, for making resource decisions, and for ensuring that positive evaluation and reward systems are in place for all employees. It is the place where resolution is reached and decisions are made for those essential matters which necessitate the highest level of Regional management involvement.

In addition to the RA and Deputy RA, this office includes the four state representatives of the RA. These Assistant Regional Administrators (ARA's) are policy representatives of the Regional Office for all matters in their states. ARA's establish and maintain effective working relationships with other governmental agencies – local, state and federal.

- a. **STATE/FIELD OPERATIONS OFFICES (ALASKA, IDAHO, OREGON, WASHINGTON).** There are four state offices (Anchorage/Juneau, Boise, Portland, Olympia) with other satellite field offices (e.g., Coeur d'Alene, ID; Hanford, WA; Eugene, OR). The Assistant Regional Administrators (ARA's) in each state office represent and report to the RA on state matters and provide leadership, coordination, and liaison with top officials of the state environmental agency, and other federal, state and local organizations. The ARA's are the overall "State Team Leaders" to provide multi-program integration within the state. All staff in the state office will be part of this team. Staff working in the state offices perform implementation work, (e.g., inspections, permits, outreach, Superfund site management), ecosystem/geographic work, and multi-media coordination. The state/field offices are linked to the Office of Ecosystems and Communities (ECO) by having one person from each of the state office part of ECO's "State Coordination Team". The role of the team members is to develop ideas for place-based projects and help identify and mobilize the resources to start new projects. As appropriate, the ARA's will also coordinate with the Tribal Office Director on issues arising within their states that impact the Tribes.

1. **OFFICE OF AIR QUALITY.** This office is responsible for implementation of the Clean Air Act and NESHAPs. This work includes permits, compliance, enforcement, grants project management, pollution prevention, technical support, and technical assistance functions. It also includes integrated air modeling and monitoring technical support.
2. **OFFICE OF CIVIL RIGHTS AND ENVIRONMENTAL JUSTICE.** The Office for Civil Rights and Environmental Justice is responsible for the overall direction and management of the civil rights and environmental justice programs in Region 10. The Office will be responsible for programs related to the civil rights compliance of EPA grantees, the civil rights of job applicants and employees, and efforts to ensure that EJ target communities receive equitable protection under environmental laws. Office responsibility or function areas include:

Environmental Justice

Environmental Justice means the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, culture, income or education level with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.

On February 11, 1994, President Clinton issued Executive Order 12898 title "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The Executive Order applies to eleven federal agencies with the EPA as the lead agency to ensure Order implementation and as the lead on Environmental Justice. The Order addresses: Human Health and Environmental Data Collection and Analysis, Subsistence Consumption of Fish and Wildlife and Public Participation and Access to Information.

Equal Employment Opportunity

The Equal Employment Opportunity (EEO) program ensures that complaints by applicants or employees are processed in a timely, appropriate manner. Complaints of discrimination may be filed under Title VII of the Civil Rights Act, Section 501 of the Rehabilitation Act, the Age Discrimination in Employment Act and the Equal Pay Act. Four EEO counselors operate under

the leadership of the EEO Manager. The program also includes affirmative employment, special emphasis program management and Diversity Action Plan (DAP) implementation.

Grantees' Civil Rights Compliance, Title VI, External Compliance

These terms refer to the obligation of EPA Grantees and contractors to comply with applicable Civil Rights Laws. OCREJ will be responsible for monitoring the civil rights compliance of EPA's grantees by reviewing pre-award civil rights status and processing complaints of discrimination filed against grantees.

Minority and Women Business Enterprise

The Minority and Women Business Enterprise program (MBE/WBE) ensures that recipients of EPA financial assistance award a fair share of contracts/procurements to small, minority, and women's businesses. EPA provides technical assistance to grantees and monitors their compliance with this requirement. In this regard, this program:

- " Negotiates Fair Share goals with grantees, providing guidance and assistance in the development of those goals and availability analyses. With the Office of Regional Council, review and approve the goals developed by grantees.
- " Networks with other Federal agencies to ensure that EPA provides accurate and up-to-date information on computer programs, databases, laws, and resources available to both grantees and MBEs and WBEs.

EPA's authority to adopt and implement guidelines stems directly from Public Laws 99-499, 100-590, 101-507, 102-389, 101-549, Executive Orders 12138, 11625, 12432, and 40 CFR Parts 30, 31, and 35.

In addition, the program is committed to improving and increasing the involvement of socioeconomic entities in the Region's direct procurement (contracting) process. These programs are implemented under Sections 8 and 15 of the Small Business Act as amended and Executive Orders 12073, 12432 and 12138 relating to preference programs for small, small disadvantaged, women-owned businesses and hubzones.

3. **OFFICE OF ECOSYSTEMS AND COMMUNITIES.** The Office of Ecosystems and Communities (OEAC) evolves from Region 10's vision of the future as requiring integrated, multimedia, geographic problem-solving. This office's role is to develop and implement a strategy for identifying, developing, and supporting ecosystem, geographic, and place-based projects. This office provides support and leadership across the Region 10 organization and houses geographic and place-based teams such as the Coeur d'Alene Project, the Forest and Salmon Projects, and major geographic projects such as the Tillamook and the mid-Willamette. It is responsible for maintaining a close working relationship with the State/Tribal representatives.
4. **OFFICE OF ENFORCEMENT AND COMPLIANCE.** This Office performs the responsibilities outlined in Option 2 of the Administrator's memo of 6/30/94 which directed how the Regions would perform enforcement and compliance assurance activities in their reorganizations. Option 2 defines responsibilities for an enforcement/compliance assurance coordinating office and also provides that distinct enforcement and compliance assurance units will be created within the current regulatory media program divisions. The Director of this office reports directly to the Regional Administrator. This Office bridges Region 10 and the Office of Enforcement and Compliance Assurance (OECA) in EPA Headquarters. The Federal Facilities Coordinator is located here as well.

This office serves as the focal point for receiving, interpreting, and disseminating Headquarters enforcement and compliance guidance. It fulfills an internal advocacy role when multi-media actions or other important national initiatives are involved. However, responsibility and decision-making authority for compliance and enforcement, e.g., initiating and staffing individual enforcement actions remain with the media program Office -- Office of Air, Office of Environmental Cleanup, Office of Water, and Office of Waste and Chemicals Management. Also, ORC provides legal support for enforcement actions.

5. **OFFICE OF ENVIRONMENTAL ASSESSMENT.** OEA is tasked with the responsibility for preparing technical environmental assessment, both media-specific and multi-media in character. This assessment function is integral to the office's

other charter responsibility: to prepare regular environmental indicator reports on the condition of the environment to inform the public and for use by the Region in its ongoing efforts to prioritize and evaluate the effectiveness of its work.

6. **OFFICE OF ENVIRONMENTAL CLEANUP.** This office is responsible for Superfund and Oil Spill cleanup and enforcement work. Emergency and long-term cleanup work is conducted directly by EPA, shared with the States, or directed through enforcement agreements. The work in the office includes site evaluation, site cleanup, emergency response, and oil spill prevention planning.
7. **OFFICE OF EXTERNAL AFFAIRS.** The Office of External Affairs formulates, coordinates, and communicates EPA's key messages, public information and outreach strategies. Provides a coordinated focal point for regional Congressional and news media relations, international activities, and environmental education. Responsible for overseeing the regional Freedom of Information Act (FOIA) office. The Public Environmental Resource Center provides the public with information and assistance in order that they better understand environmental issues and relationships.
8. **OFFICE OF INNOVATION.** The Office for Innovation helps carry out the Region's vision, mission, core process, and leadership philosophy. It advocates exploration of new ideas and ways of doing business to meet the Region's current and future environmental challenges. In OI's dedication to support the Region's ability to remain adaptive and relevant, it focuses its efforts in the following areas and performs its work in the following ways:

REINVENTION INITIATIVES: OI coordinates and leads Region 10 efforts to identify, promote, test, and, if appropriate, integrate the President's Reinvention Initiatives into the way EPA does business.

INNOVATION: OI promotes and supports the development of innovative ideas which have the potential for improving existing work or defining new and better ways to do work.

POLLUTION PREVENTION(P2): OI promotes the integration of P2 into regulatory and voluntary EPA and state program efforts; leverages reinvention vehicles like Project XL, P2, Environmental Leadership Program, and ISO 14001 to advance the use of P2; and supports a regional network of state, local, and non-profit pollution prevention programs that provide technical assistance directly to businesses.

EFFLUENT TRADING: Establish a framework for a regional effluent trading program and work with states to establish effluent trading pilot projects.

ORGANIZATIONAL EFFECTIVENESS: OI promotes the organization's cultural change work needed to help us achieve our environmental and partnership goals.

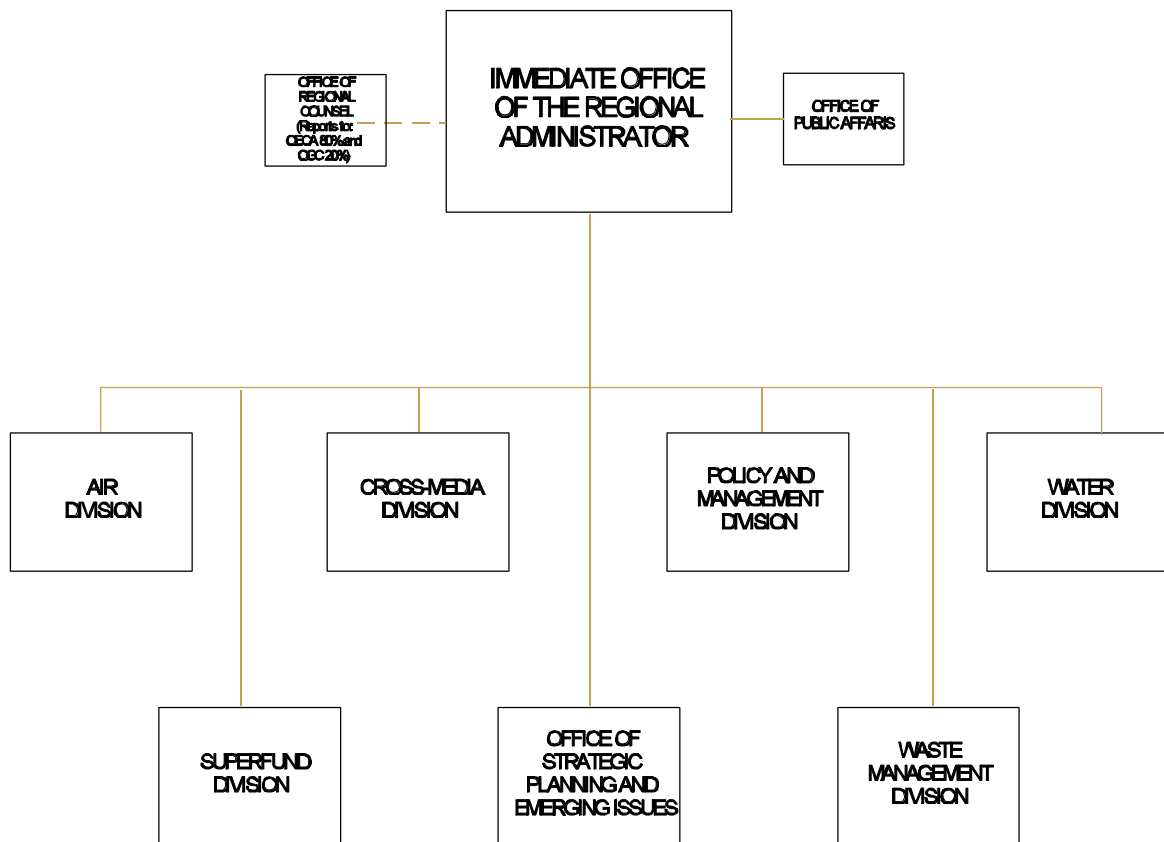
SUSTAINABLE COMMUNITIES: OI champions and support the integration of sustainability concepts into ongoing EPA programs; encourages networking between grassroots groups, communities, businesses, and agencies; promotes and funds sustainability projects; and assists small, rural communities to achieve compliance through regulatory flexibility.

9. **OFFICE OF MANAGEMENT PROGRAMS.** Provides strategic leadership to the Region, and ensures systems are in place to manage Regional human, material, and information resources. Assures implementation of comprehensive programs for strategic planning, program evaluation, resource focusing, policy analysis, and economic analysis. Establishes and monitors systems and controls to ensure the Region's Federal Managers Financial Integrity Act (FMFIA) process is in compliance with Agency policies and procedures. Assures that Region's financial resources are used effectively and efficiently. Establishes and monitors systems and controls to ensure regional contracts, grants, and procurements, are in the best interests of the government. Oversees the Region's facilities and information management programs. Provides leadership, planning, guidance, and coordination for all Office of Management Programs programs, including budget, space planning, and other areas related to day-to-day operation of the Office.

10. **OFFICE OF REGIONAL COUNSEL.** The Office of Regional Counsel (ORC) provides legal representation for EPA Region 10, EPA and the United States in administrative and judicial matters involving the environmental statutes implemented by EPA. Such matters include civil and criminal in which EPA is named as a party or otherwise has an interest in the outcome of the litigation. Work on enforcement cases is generally a support function since responsibility for initiation of such actions continues to reside with the media program offices. ORC also counsels EPA Region 10 staff on legal interpretations of environmental laws as well as other associated laws. ORC provides advice on general law matters such as personnel, ethics, contracts, procurement, and grants, and in such specialized areas as the Freedom of information Act and Indian law. In addition, ORC reviews and comments on proposed regulations and policy and guidance documents.
11. **TRIBAL OFFICE.** The Director of the Tribal Office (TO) will report to the Regional Administrator, represent the RA on tribal matters and provide leadership, coordination and liaison with tribal officials. All tribal staff in Seattle and in the state operations offices will be part of the Tribal Office. The tribal coordinators will provide leadership and coordination to specific tribes, as assigned within the Tribal Office. The tribal coordinators will provide EPA's first line contact with tribes, work with them on submitting grant applications, serve as grants project officers, and provide tribal outreach.
12. **OFFICE OF WASTE AND CHEMICAL MANAGEMENT.** This office is responsible for waste and chemicals management programs under several statutory authorities - RCRA, TSCA, EPCRA, etc. This work includes permits, compliance, enforcement, grants project management, pollution prevention and technical assistance functions. It essentially represents a consolidation of RCRA Programs, Toxics Programs, RCRA and TSCA permitting, and the Toxics Release Inventory program. The work is accomplished through the Agency's interaction with States, tribes, local governments, non-profit organizations, and the regulated community. Some hydrogeology and risk assessment technical support activities are also performed in this office.
13. **OFFICE OF WATER.** This office is responsible for water programs primarily under the Clean Water Act and Safe Drinking Water Act statutory authorities. This work includes permits, enforcement, grants project management, pollution prevention, and technical assistance functions. The work is accomplished through the Agency's interaction with State, tribes, local governments, non-profit organizations, and the regulated community. Some hydrogeology and risk assessment technical support activities are also performed in this office.

REGION IX (San Francisco, CA)

REGION IX ORGANIZATIONAL CHART



REGION IX FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator is responsible to the Administrator within the boundaries of the Region and along the Region's U.S./Mexican border, for the execution of regional programs of the Agency and such other responsibilities as may be assigned. The Regional Administrator serves as the Administrator's principal representative in the region on contacts and relationships with federal, state, international, interstate and local agencies; industry; academic institutions; and other public and private groups. The Regional Administrator is responsible for: accomplishing national program objectives within the region as established by the Administrator, Deputy Administrator, Assistant Administrators and Heads of Headquarters Staff Offices; developing, proposing, and implementing regional plans and programs for comprehensive and integrated environmental protection activities; managing regional resources, assuring implementation of the Region's Equal Employment Opportunity and External Compliance Programs; translating Agency technical program direction into effective regional operating programs; assuring that regional programs are executed efficiently; exercising approval authority for administration of grant resources; and providing overall and specific evaluations of regional programs, both internal and external.

- a. **OFFICE OF PUBLIC AFFAIRS.** The Office of Public Affairs (OPA) is an immediate staff office to the Regional Administrator.

The Office serves as the focal point for communicating EPA Region 9's program activities and policies to its many and varied stakeholders: the public; the media; state government, local government and major urban areas; small town and rural areas; state legislatures and the Governor's offices; Congress; other federal agencies; the international community including the San Diego/Mexican Border area and the Pacific Island Basin; the educational community; and special interest and non-government organizations and groups. The Office designs and implements regional communication strategies to ensure accurate and useful information to EPA's stakeholders.

Immediate Office of the Director: Provides overall direction and management of OCGR. Advises the Regional Administrator and Senior Management Team (SMT) on communicating EPA Region 9's program activities to EPA stakeholders. Develops and implements a governmental and media relations program to work with elected officials and staff, the media, and EPA stakeholders. Designs and manages public events to bring stakeholders together, highlight program milestones and recognize important contributions to environmental protection. Advises the RA and Deputy RA of sensitive, confidential and political issues in which government and media are interested. Researches and defines problems, outlining the alternatives, and makes recommendations to the Senior Management Team. Develops and implements regional communication strategies. Utilizes effective, informative communication approaches to convey the regional message to the media and EPA stakeholders. Gives special attention to accuracy, clarity, persuasiveness and effectiveness of each approach to enhance the quality of information being provided. Develops and implements regional outreach program by considering the Agency's programs, objectives and functions in connection with the kind of information various stakeholders want or need. Develops and implements the most effective method of communication. Participates in program and policy development for EPA's livable communities initiative.

Environmental Information and Education Office: Advises the Director and Deputy of information needs. Develops and manages a public information program to inform and receive input from all Region 9 stakeholders. Manages the Environmental Education Program. Promotes and coordinates EPA participation in environmental education outreach activities. Coordinates the Region's Public Information Technology Program by promoting and coordinating the Region's use of information technology to enhance public involvement and customer service. Identifies communication needs and evaluates the effectiveness of both information and communication programs to further Agency goals. Develops and manages an information services program for the public which is administered through the regional Public Information Center. Manages the Freedom of Information Act Program. Provides writer/editor support to media officers to enhance communications with the public, the media, and stakeholders.

- b. **OFFICE OF REGIONAL COUNSEL.** The Office Regional Counsel is responsible for providing legal advice and litigation support to the Regional Administrator, program divisions, staff offices, and the Department of Justice.

The Regional Counsel and Deputy Regional Counsel advise the Regional Administrator and senior management on legal matters and provide overall direction and management of the Office, including resource management. Attorneys in the immediate office provide legal support for ethics, criminal enforcement, Mexican Border and other international legal work, and multimedia enforcement. The immediate office also handles the Regional Hearing Clerk, Regional Judicial Officer, and Regional Presiding Officer functions. The hearing clerk function is to manage the case files for administrative enforcement and permitting appeals. Judicial officers are delegated some of the Regional Administrator's responsibilities for adjudicating administrative enforcement cases. Presiding officers serve as the presiding official for some adjudicatory hearings.

2. **AIR DIVISION.** The Air Division is responsible for implementing the Clean Air Act (CAA) within EPA, Region 9. The division is charged with conducting all program activities except enforcement litigation activities which are cooperatively managed with the Office of Regional Counsel (ORC). Under this statute and in accordance with implementing regulations and agency guidelines, the division ensures that air pollution does not constitute a threat to public health, safety, well-being and the environment. The division works with other federal agencies, state and local agencies, school districts and the university community, as well as the private sector. The division administers grants to state and local agencies, issues permits and determines compliance with federal regulations. The division is headed by a division director who acts as the Regional Administrator's principal advisor on the Clean Air Act.

3. **CROSS-MEDIA DIVISION.** The Cross-Media Division is responsible for providing leadership and direction on regional cross-media issues, emphasizing and promoting multi-program and place-based approaches to address regional environmental issues. Develops and implements strategic direction to integrate cross-media issues within the region. Manages and coordinates Insular Area Program, Environmental Justice Program, Indian Program and Federal Facilities Compliance Program activities. Manages and implements the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act for the region. Manages and implements the Toxic Substances Control Act (TSCA), Federal Insecticide, Fungicide, Rodenticide Act (FIFRA), Asbestos Hazard Emergency Response Action (AHERA) and the Asbestos School Hazard Abatement Act (ASHAA). Provides advice to the Regional Administrator and the Senior Management Team on regional and national policies and issues in these areas.

4. **POLICY AND MANAGEMENT DIVISION.** The Policy and Management Division (PMD) provides policy oversight and analytic services on the consistent application of agency policy, performance tracking and accountability.

PMD serves as a fully participating advisor and consultant to the Regional Administrator in all significant policy and managerial decisions. PMD contributes policy advice during the formative stages of managerial planning and policy making which reflect all aspects of EPA's operations.

PMD provides information and guidance on national budget issues, develops the regional operating plan and budget, controls resources, monitors budget execution, performs budget analyses and manages all regional financial operations.

PMD is responsible for development of administrative policies and procedures and providing consultation and operational support in the areas of personnel and organization management; training and development activities; grants management; contracts management; information resources management; and equal employment opportunity.

PMD manages implementation of the Region's mandatory quality assurance program, operates the Region 9 Laboratory (located in Richmond, California) and manages the region's Safety, Health and Environmental Compliance Program.

PMD is responsible for Superfund contracting oversight for the Western Zone (Regions 9 and 10).

5. **OFFICE OF STRATEGIC PLANNING AND EMERGING ISSUES.** The Office of Strategic Planning and Emerging Issues (OSPEI) serves as the focal point for providing a broad perspective across media programs; provides impartial analytical support to senior management; leads the region in developing, adopting and measuring strategies and approaches to protect the environment based on the best information available; serves as a staging ground for new and emerging initiatives and guiding their integration into the regional structure; and integrates various activities and initiatives of the region into a coherent whole.

Provides leadership and focus to the region's regulatory reinvention and/or reform programs. Facilitates regional priority setting among the President's reinvention initiatives, advises Region 9 employees about reinvention issues and identifying "reinvention" opportunities and new/emerging initiatives for integration into the region's reinvention strategy. Serves as a contact point and liaison for EPA Headquarters business, states/tribes and other stakeholders on reinvention activities.

Serves as a focal point for Agency-wide and regional efforts to promote innovative environmental technology, including regulatory reinvention. Follows emerging technology trends; conducts outreach with academia, the business community, regulators, and end-users of environmental technology; creates partnerships with outside stakeholders; provides general support for the nine Environmental Technology Initiative project grants; and works with the environmental technology programs of the Departments of Commerce and Energy and the State of California.

Supports reinvention and regulatory reform. Serves as focal point for regional Excellence in Leadership (XL) and Environmental Leadership Program (ELP). Provides leadership and accountability for the planning, implementation and evaluation of these pilot programs.

Serves as the region's focal point for enforcement activities. Sets the overall direction for enforcement strategy development and execution, data integration activities within the region. Promotes, coordinates, tracks and evaluates multi-media inspections, cases, pollution prevention in enforcement, and enforcement aspects of environmental justice. Coordinates, monitors and evaluates enforcement aspects of grants. Leads negotiation of the regional Enforcement Memorandum of Agreement with the Office of Enforcement and Compliance Activities (OECA). Leads the development of regional enforcement plan, providing for integration of enforcement with other strategies for achieving regional mission.

Serves as the region's expert and resource for information on developing and using environmental indicators to measure progress associated with various regional planning activities, including strategic planning and the Region 9 Environmental Indicators Report.

Promotes state capacity policies and supports state/EPA partnerships, with each of the states in Region 9. Provides a planning role to manage the process of understanding and linking them with regional and national planning processes. Serves in an advocacy role to marshal the regional resources and expertise that can serve the states in carrying out the priorities, program commitments and the federal authorities that the region delegates to them.

Provides leadership and serves as a focal point for the region's compliance assistance and outreach to small business. Develops a regional network of program staff to provide compliance assistance to small business; increases coordination with and support for state and local assistance programs for small business; and develops and maintains an open dialogue with small business and trade associations.

Provides leadership and direction for the region's investment in creative public private partnerships. Keeps senior staff and the Regional Administrator aware of existing partnerships and their status. Pursues new opportunities and assesses the regional value of participation in additional formal partnerships and brings such proposals to the senior staff for endorsement and key policy decisions.

Guides senior management to make fully informed resource investment decisions by providing them with a planning process which includes more information and fuller stakeholder participation.

Evaluates new national and regional initiatives or themes to ensure they are integrated smoothly into regional operations in a way that minimizes disruption to on-going work, while maximizing results for the resource level the region has agreed to invest. Provides senior management with a broader perspective for consideration of any given initiative.

Provides an in-house evaluative function to review existing programs that have been identified as having difficulty achieving results or facing substantive changes in the future, new programs to the region, and those that encompass two or more existing organizations or which cross organizational lines.

Serves as focal point for the regional Common Sense Initiative (CSI) Program with responsibilities for assisting the Regional Administrator in planning, implementing and evaluating the CSI Program. Develops industry sector approaches to policy making that focus on "cleaner, cheaper and smarter" solutions to environmental problems. Serves as regional expert on how selected industrial sectors are affected by various environmental regulations. Keeps abreast of programmatic, legislative, political, technical and policy issues and trends which affect the overall direction of EPA legislation, policies and guidance.

6. **SUPERFUND DIVISION.** The Superfund Division is responsible for implementing the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Oil Pollution Act (OPA) within EPA Region 9. The Division is charged with conducting all program activities, except enforcement litigation activities which are cooperatively managed with the Office of Regional Counsel (ORC). Under the acts listed above and in accordance with implementing regulations and agency guidelines, the Division ensures that hazardous wastes do not constitute a threat to public health, safety, well-being, and the environment. The Division works with other federal agencies, state and local agencies, and the private sector. The Division corrects uncontrolled hazardous waste site problems. The Division is headed by a division director who acts as the Regional Administrator's principal advisor on the acts.

7. **WASTE MANAGEMENT DIVISION.** The Director manages the Resource Conservation and Recovery Act (RCRA) program in Region 9. Conducts the Enforcement, Permits, Grants and State Program Development work authorized by the RCRA statute and amendments. This includes the broader range of activities regulated by the RCRA statute including hazardous waste (Subtitle C), nonhazardous waste (Subtitle D) and underground storage tanks (Subtitle I). Includes promotion of Pollution Prevention activities throughout the Regional Office. The Director also ensures the goals of the Strategic Tracking and Reporting System are met in all areas of the RCRA program; directs all policy and technical aspects of the RCRA program. Provides program-wide guidance to ensure proper interpretation and consistent application of federal regulations and statutes; assures integration of the RCRA program with other media programs to promote division and Agency efficiency; manages regional RCRA Waste Minimization and Pollution Prevention programs; and establishes priorities and works with branches and sections to implement those.

8. **WATER DIVISION.** The Water Division is responsible for implementing the provisions of the Water Quality Act of 1987 (also known as the Clean Water Act (CWA), as amended), the Safe Drinking Water Act (SDWA), as amended, and the Marine Protection, Research and Sanctuaries Act (MPRSA) within the geographic boundaries of Region 9.

The division is charged with conducting all program activities except enforcement litigation activities, which are cooperatively managed with the Office of Regional Counsel (ORC), and program activities in the "Islands" (Guam, Commonwealth of the Northern Mariana Islands, and American Samoa), which are cooperatively managed with the Office of Pacific Islands in the Cross Media Office.

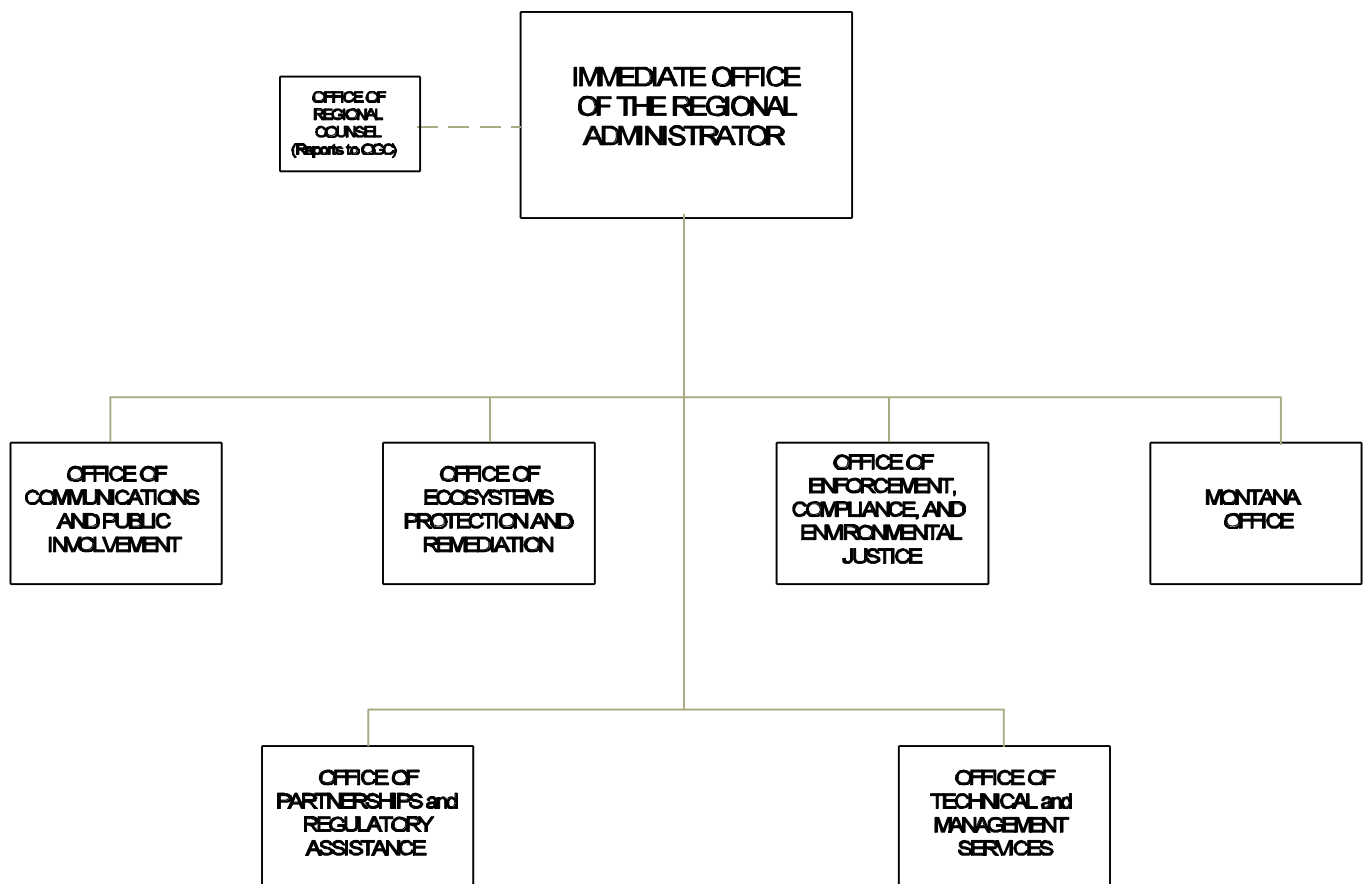
Under these statutes and in accordance with implementing regulations and agency guidelines, the division has the ultimate responsibility for assuring that the chemical, physical and biological integrity of the region's waters are restored and maintained so that water pollution does not constitute a threat to public health, safety, well-being and the environment.

To carry out its mission, the division works with other federal agencies, state and local agencies and the private sector. In assuring compliance with the requirements of the CWA, as amended, SDWA, as amended, and the MPRSA, the division performs a wide variety of functions including: providing grant assistance for the construction of municipal wastewater treatment facilities, protecting wetlands through implementation of Section 404 of the CWA, issuing permits for the discharge

of wastewater effluent to surface waters, issuing permits for the discharge of wastes into underground injection wells, approving state-adopted water quality standards or developing federal standards; providing grant assistance for state water pollution control, drinking water, underground injection control and municipal wastewater treatment programs, and ensuring compliance with the CWA and SDWA by conducting inspections, providing technical assistance and pursuing enforcement actions. The division is headed by a division director who acts as the Regional Administrator's principal advisor on the CWA, SDWA, and MPRSA.

REGION VIII (Denver, CO)

REGION VIII ORGANIZATIONAL CHART



REGION VIII FUNCTIONAL STATEMENT

1. **OFFICE OF THE REGIONAL ADMINISTRATOR.** The Office of the Regional Administrator is responsible for the planning, programming, implementation, control, and direction of the technical and administrative aspects of Region VIII programs and activities; exercises responsibility for developing plans, establishing internal operating policies and procedures, and resolving operational problems; is responsible for total resources management in the Region, and continuing evaluation of Regional programs and activities as to their effectiveness and progress in accomplishment of planned objectives; resolves conflicts of proposals or interest among Regional program activities, and selects, assigns, provides direction and guidance to EPA staff as necessary to achieve program objectives. Is primary contact and representative with headquarters Senior Leadership and external stakeholders.
2. **OFFICE OF COMMUNICATIONS AND PUBLIC INVOLVEMENT.** Provides media and Congressional relations support for the Region. Provides program support in dealing with communities and individuals. Assists Regional staff in face-to-face communications, communications strategies, community involvement plans, fact sheets, public meetings, response to inquiries/concerns, availability sessions, press releases, Congressional inquiries and briefings. Manages and staffs the Environmental Information and Service Center (EISC) and the Regional library to meet internal and external information needs. Manages the environmental education program and speakers' bureau. Manages the Regional FOIA response process, including request and response log and provides training as necessary. The Office of Communications & Public Involvement (OCPI) is a broad-based organization staffed with communication experts who provide support to all Regional programs. It consists of six functional units with two supervisory positions. Primary external publics include the general public, interest groups, educators, the media, Congressionals, and communities. Products and services delivered include information, outreach/education, access to the Agency, and opportunity for involvement in the Regional decision-making process. Primary internal stakeholders include the Regional Administrator (RA), Deputy Regional Administrator (DRA), Senior Leadership Team (SLT), Regional and Headquarters managers and staff. Products and services delivered include training, information to and from external publics, communication and "big picture" advice, consultation, and direct support in involving communities in EPA's decision-making processes.
3. **OFFICE OF ECOSYSTEMS PROTECTION AND REMEDIATION.** This organization is responsible for identification, characterization, and remediation of contaminated areas and sites under CERCLA authorities. Also this organization is the focal point for ecosystems protection coordination and priority setting in the Region. With input from all offices and EPA Headquarters, this organization will recommend and measure attainment of goals, objectives and priorities for ecosystems protection and clean-up activities in the Region. Mine waste and NEPA leadership, policy and technical support will be coordinated from this office.

The Assistant Regional Administrator will be responsible for strategic planning in a team fashion with all of the other Senior Leaders in Region VIII. The resources of the Ecosystems Protection and Remediation staff will be focused towards achieving this strategic plan and ultimately Region VIII's and the Environmental Protection Agency's vision. Superfund program prioritization and money allocation decisions to accomplish the overall program and ecosystem vision of the Ecosystems Protection and Remediation organization will be the responsibility of the ARA if it doesn't occur at the Program Management Team level. It is anticipated that mostly this Director will provide the overall strategic guidance to the Program Management Team. The support staff assigned to the ARA will be responsible for clerical support for the immediate office; administrative officer functions including intramural budget allocation and tracking of expenditures; extramural expenditure tracking in the Integrated Financial Management system (IFMS); and FTE management, training, and accomplishment coordination activities.

4. **OFFICE OF ENFORCEMENT, COMPLIANCE, AND ENVIRONMENTAL JUSTICE.** The focus of this organization is on enforcement, compliance and environmental justice. It has broad responsibilities including strategic planning and targeting, setting enforcement priorities, developing effective compliance monitoring programs to support potential inspection activities, undertaking necessary inspections, and pursuing appropriate enforcement actions. It will work with states and tribal groups to clearly define oversight roles and promote effective multi-media enforcement strategies. It also has the principal

responsibility to ensure that environmental justice is fully integrated into all environmental programs to provide equal protection to all segments of the population, regardless of race, national origin or income.

The Assistant Regional Administrator will be responsible for strategic planning in a team fashion with all of the other Senior Leaders in Region VIII. The resources for Enforcement, Compliance, and Environmental Justice will be focused towards achieving this strategic plan and ultimately Region VIII's and the Environmental Protection Agency's vision.

5. **OFFICE OF PARTNERSHIPS AND REGULATORY ASSISTANCE.** Integrates pollution prevention into all EPA, State, Tribal, federal and local environmental program activities; assists State, Tribal, federal, and local environmental agencies, with long and short range environmental management planning; provides financial and technical program assistance to State, Tribal, and local environmental agencies; approves, oversees and evaluates, as appropriate State, Tribal, federal and local agency program regulations, standards, activities, and results; directly implements environmental program activities where necessary; assists pollution sources with technical advice and training on statutory requirements, regulatory implementation, pollution prevention approaches, and minimizing compliance costs; and educates the public on environmental issues.

The Assistant Regional Administrator is responsible for strategic planning in a team fashion with all of the other Senior Leaders in Region VIII. The resources for Pollution Prevention, State and Tribal Programs will be focused towards achieving this strategic plan and ultimately Region VIII's and the Environmental Protection Agency's vision.

6. **OFFICE OF REGIONAL COUNSEL.** The purpose of the Office of Regional Counsel is to provide legal and policy advice and interpretation of environmental statutes, and legal counsel in areas of regulations, delegations, personnel, labor/management relations, conflicts, ethics, grants and contracts. Regional Counsel represents Region VIII in citizen suits and all defensive litigation, and facilitates liaison with the Office of General Counsel. The Office of Regional Counsel specifically includes Indian law counsel, interpretation, and legal coordination. The office houses the Regional Judicial Officer and Regional Hearing Clerk. A strategic planning element is also incorporated in the office.

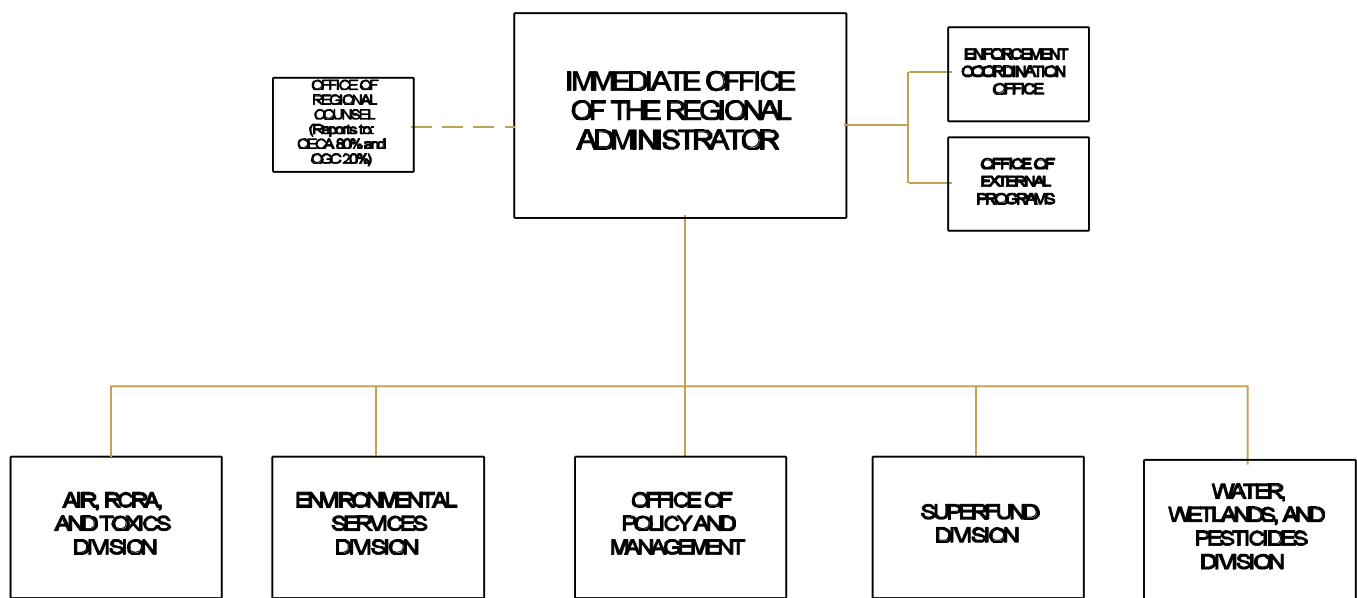
7. **MONTANA OFFICE.** The Office Director will be responsible for strategic planning with all of the other Senior Leaders in Region VIII. Montana Office staff will be focused towards achieving this strategic plan and ultimately Region VIII's and the Environmental Protection Agency's visions. The Director will serve as the principal contact, in lieu of the RA, DRA, or other ARAs, for EPA activities in Montana in the areas of Superfund, RCRA, CAA, CWA, SDWA, NEPA, TSCA and FIFRA. The support staff in the Immediate Office will be responsible for administrative officer functions, Superfund budgeting, and LAN support. The Media Programs, also under the direction of the Office Director, is responsible within the State of Montana for implementation of the RCRA C Hazardous Waste clean-up program, which includes corrective action on EPA lead sites, permitting, closure/post closure, and state and tribal capacity building; tribal air programs; CFC implementation; UST/LUST coordination and implementation; CWA enforcement activities on Reservations and elsewhere in the State where the State fails to act; review of State and Tribal water quality standards; Section 319 of the CWA administration; Review of Section 404 permits; 404 enforcement; 401 certification of Reservations; review of NPDES permits in the State and issuance of NPDES permits on Tribal lands; implementation of the sludge and pretreatment programs; implementation of the Class II UIC compliance assurance program; and review of the PWS State program and implementation of the PWS program on Tribal lands.

8. **OFFICE OF TECHNICAL AND MANAGEMENT SERVICES.** Provide a strong internal and external quality assurance program across the Region and to provide reasonable assurance that the data produced is of the type needed and required for each project. Provide laboratory services and support for all EPA programs. Ensure management integrity in budget, finance, acquisitions, assistance, property, human resources and general management consistent with federal law and EPA directive, including all Senior Resource Official and Chief Financial Officer requirements. Provide administrative management services for the entire Region in the areas of facilities, property, telecommunications, occupational health and safety, procurements, contracting, assistance agreements, audit resolution, human resources and personnel, training services, management and organizational analysis, program and policy analysis, strategic planning coordination, budget formulation and execution, financial management and accounting operations, computer services and information systems, and records management.

The Assistant Regional Administrator manages all functions within this office and serves as the Region's Senior Resource Official (SRO), Chief Financial Officer (CFO), director of Civil Rights, and Senior Information Resources Management Official (SIRMO). As a member of the Regional Leadership Team, the ARA establishes and implements Regional strategic policies and program priorities. The Office of the ARA for Technical and Management Services also includes the Equal Employment Opportunity (EEO) Officer, who administers the discrimination complaint process in addition to the EEO program.

REGION VII (Kansas City, KS)

REGION VII ORGANIZATIONAL CHART



REGION VII FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator is responsible to the Administrator, within the boundaries of the Region, for the execution of the regional programs of the Agency and such other responsibilities as may be assigned. Serves as the Administrator's principal representative in the Region in contacts and relationships with federal, state, interstate, and local agencies; industry, academic institutions; and other public and private groups. Responsible for accomplishing national program objectives within the Region as established by the Administrator, Deputy Administrator, Assistant Administrator, and managers of Headquarters staff offices. Develops, proposes, and implements an approved regional program for comprehensive and integrated environmental protection activities. Responsible for total resource management in the Region within the guidelines provided by Headquarters. Responsible for translating technical program direction and evaluation, provided by the various Assistant Administrators and heads of headquarter's staff offices, into effective operating programs at the regional level, and assuring that such programs are executed efficiently. Exercises approval authority for proposed state standards and implementation plans. Provides for agency and state activities. Responsible for regional liaison and coordination with federal, state, regional and local organizations and congressional, state and local executive offices in areas of general environmental concerns. Participates in activities of the Federal Regional Council and Federal Executive Board to develop strategies and mechanisms for program delivery, review program plans jointly with governors and mayors, and resolve regional interagency issues expeditiously. Assures the development and implementation of an effective regional diversity and EEO program.

The Deputy Regional Administrator assists the Regional Administrator in the discharge of his/her duties and responsibilities. This involves sharing with the Regional Administrator in the planning, programming, policy implementation, management direction, and control of the technical and administrative aspects of the Environmental Protection Agency activities within the Region. In the absence of the Regional Administrator, serves as Acting Regional Administrator.

- a. **ENFORCEMENT COORDINATION OFFICE.** The Enforcement Coordination Office (ECO) is the point of accountability and contact in Region VII for the HQ Office of Enforcement and Compliance Assurance (OECA) on matters such as enforcement/compliance policies, guidance, activity targeting, data reporting and integration, budget, and measuring the success of the enforcement/compliance efforts. The ECO is the focal point for communication and coordination on cross-program, multimedia, compliance assistance, and general enforcement issues. The ECO works closely with the Office of Regional Counsel, Region VII Division Directors and enforcement contacts, and the Region VII Multimedia Enforcement Committee to ensure that Agency enforcement and compliance initiatives are effectively implemented. The ECO coordinates Regional and state input to analyze environmental and compliance, data, identify enforcement and compliance priorities, negotiate these into the annual Region VII OECA Memorandum of Agreement (MOA), and to track and report progress in achieving the commitments set out in the MOA.
- b. **OFFICE OF EXTERNAL PROGRAMS.** The Office of External Programs is the principal adviser to the Regional Administrator on all Environmental Protection Agency Communications, environmental education and external outreach activities, and Congressional, legislative and intergovernmental activities. Provides media and Congressional relations support for the Region. Provides program support in dealing with communities, states, and individuals. Assists regional staff in face-to-face communications, communications strategies, community involvement plans, fact sheets, public meetings, response to inquiries/concerns, availability sessions, press releases, Congressional inquiries and briefings. Manages and coordinates environmental justice activities, including the grants program, and serves as adviser to the Region on environmental justice issues. Coordinates federal facility activities. Manages Indian program by strengthening relationships with tribal partners. Manages and staffs the Public Information Center to meet external and internal needs. Manages the environmental education program and speakers bureau. Manages the Regional FOIA response process, including request and response log and provides training as necessary. The Director serves as Peer Review and Regional Printing Officer to ensure consistency and quality of all Regional publications and communications.

- c. **OFFICE OF REGIONAL COUNSEL.** The Office of Regional Counsel is headed by Regional Counsel, who is the chief legal officer for the Region and the principal legal advisor to the Regional Administrator on all matters of legal import. Office functions include assistance to the Regional Administrator in implementing and executing regional programs designed to attain the objectives of the federal statutes, executive orders, and regulations relating to Agency missions, and in assuring legal adequacy of the regional programs. The Office of Regional Counsel provides legal advice to the Regional Administrator and to the regional programs and administrative staff regarding interpretation of statutes, regulations, policy guidelines, and instructions. The Office exercises responsibility for resolution of all legal problems pertaining to development of standards to be applied within the Region, including responsibility for advising the Regional Administrator regarding establishment of standards and procedures, and conduct of negotiations, conferences, public meetings and hearings, and similar proceedings.

As assigned or delegated by Regional Administrator pursuant to Regional Counsel recommendations, the Presiding Officer/Judicial Officer conducts or reviews adjudicatory hearing proceedings, as well as less formal hearings, on matters arising from regional programs, including enforcement actions; rendering initial decisions; and making or recommending final decisions. No Clean Air Act hearing requests will be referred to the Presiding Officer/Judicial Officer.

In legal support to grants program, the Office makes selective reviews of proposed grants for compliance with legal requirements; provides legal assistance in preparation of grant documents in review of grantee subagreements and procurement procedures, and in administration of grants; conducts conferences on appeals to the Regional Administrator in assistance disputes and bid protests; and prepares recommended decisions for the Regional Administrator. The Office provides similar support for Superfund contracts.

Within the Region, the Office has responsibility for representing the Regional Administrator and the Agency, and conducts or assists the Offices of Enforcement and Compliance Assurance and General Counsel, and/or Department of Justice, as assigned, in representing EPA in litigation to which the Agency is a party. The Office of Regional Counsel has assigned two attorneys to be the Region's Criminal Enforcement contacts. Those attorneys serve as principle liaison to the Region VII Criminal Investigations Division. The Office of Regional Counsel is the primary advocate for enforcement, both for single media and multi-media.

The Office represents the Regional Administrator and the Agency as counsel in their relationships with representatives from other federal agencies, state and local governments, and other officials or groups having an interest in regional programs; as well as provides legal review of statutory and regulatory authorities of state or local agencies in reference to proposed delegations of administration of environmental programs of the Agency.

The Office represents the Region as counsel in personnel actions brought against the Agency and advises the Regional Administrator or responsible staff concerning legal aspects of such personnel matters as employee conduct or discipline, conflict of interest, equal employment opportunities, and union contract negotiations, interpretations, and grievances. Regional Counsel also provides legal advice or review in miscellaneous matters such as Freedom of Information Act requests and Privacy Act matters.

This Office also includes GS-15 level nationally recognized experts in major media or functions.

2. **AIR, RCRA, AND TOXICS DIVISION.** The Air, RCRA, and Toxics Division is responsible for management of programs for air, hazardous waste, toxic substances, radiation and pollution prevention as required by the following legislation: the Clean Air Act (CA), the Resource Conservation and Recovery Act (RCRA), the Toxic Substances Control Act (TSCA), the Indoor Radon Abatement Act (IRAA) and the Pollution Prevention Act (PPA).

The Division selects and recommends appropriate enforcement action in the above program areas. The Division interprets Federal standards and regulations related to these programs, provides technical review of grants to state and local jurisdictions,

issues permits, provides technical and compliance assistance, implements the RCRA program in Iowa and processes state implementation plan revisions for attainment of air quality standards.

3. **ENVIRONMENTAL SERVICES DIVISION.** The Division is the Regional focal point for science and technology. ENSV is responsible for providing a broad spectrum of complementary scientific and technical services that meet the needs of its customers. ENSV's primary customers include the Regional Administrator, Regional Program Divisions, and the State and Local Agencies. The services provided are designed for the collection, generation, quality assurance, and analysis of data for strategic planning and environmental decision-making. Examples of environmental questions and decisions supported by these services include: identifying and assessing the condition of the Region's environmental resources (air, streams, lakes, ecosystems, etc.); identifying current and emerging environmental problems and associated potential ecological and human health impacts; identifying and quantifying comparative risks for environmental priority setting; assessing the performance of regulations and policies in terms of improved environmental quality; assessing compliance status of regulated facilities; and characterizing human health and ecological impacts from point and area anthropogenic sources. The services provided by ENSV support both single-media (e.g., Air, RCRA, Water, Superfund, Toxics & Pesticides) and cross-media Agency programs and initiatives (e.g., Community Based Environmental Protection). Specific categories of products and services provided include: designing and conducting statistically valid field monitoring studies involving the collection and analyses of representative environmental samples (air, water, soil, waste, biological, etc.); conducting regulatory field compliance inspections; providing support for criminal investigations; managing the Regional Ambient Air Criteria Pollutant Monitoring Program; managing the Regional Quality Assurance Program; providing comprehensive laboratory analytical services; integrating, analyzing and interpreting data using Geographic Information Systems (GIS) and other tools; serving as the regional liaison with Office of Research & Development to address the Region's research needs; and providing related services and technical assistance to the state and local agencies to fill gaps and help build their scientific and technical capabilities. ENSV also maintains current, state-of-the-art capabilities to meet the existing and emerging needs of its customers. ENSV is organized functionally into four primary organizational units and two sub units with Division leadership and overall Division management contained in the Immediate Office of the Director. The functional organization is optimized to best provide the broad spectrum of science and technical services to its customers. The four functionally aligned units include Air & RCRA Compliance (ARCM), Environmental Monitoring & Water Compliance (EMWC), Data Integration and Support Operations (DISO), and the Regional Laboratory (RLAB). The Regional Laboratory is further organized into two sub-units: Contract Analysis and Technical Support (CATS) and Analytical Operations (ANOP).

In addition to overall leadership and management of all programs within the Division, the Immediate Office of the Director's responsibilities will include management of the National Environmental Policy Act (NEPA) Program in Region 7. NEPA responsibilities include review of each draft Environmental Impact Statement officially filed with the Agency, assessing environmental impacts of the action, identifying and recommending corrective actions for significant environmental impact and reviewing the adequacy of the information and analysis presented, participation in pre-scoping activities to identify important environmental issues early in the compliance process, resolution of project concerns through early coordination, and assisting in identifying appropriate environmental assessment techniques, reasonable project implementation alternatives and mitigation measures.

4. **OFFICE OF POLICY AND MANAGEMENT.** The Office of Policy and Management (PLMG) provides a combination of administrative, policy, and management services, all of which are directed toward successful achievement of regional environmental objectives. The office is divided into four functional areas: (1) Information Resources Management (IRM), (2) Facilities, Security, and Safety, (3) Resources and Financial Management [includes contracts, finance, grants, Superfund cost accounting, and Resolution and Integrity Act (FMFIA)], and (4) Human Resource Management.

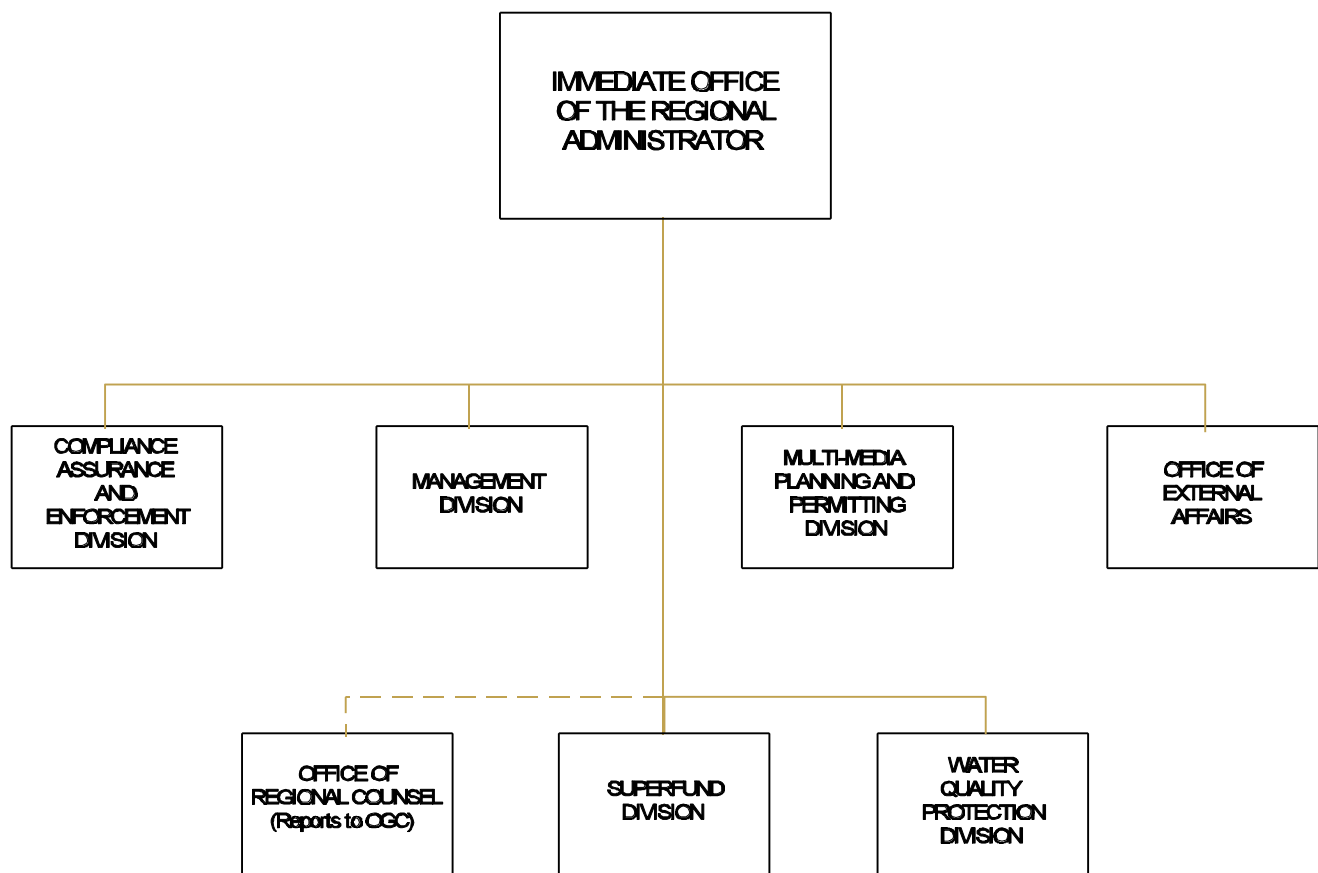
The immediate office of PLMG is supported by two teams. The Program Operations and Integration Staff provides a wide range of support to the ARA and, as necessary, the RA and DRA on a variety of non-media specific and cross-cutting programs, Agency-wide, and regional strategic initiatives. The staff directs activities relating to the coordination and integration of non-media specific initiatives and programs into the activities of the program division, management of the State/EPA relationships, assistance in the implementation of EPA's Indian Policy, and coordination and integration of activities within the Office of Policy and Management.

Civil Rights functions include (1) overview and oversight of EEO programs being administered in the region, (2) maintenance of informal and formal complaints processing mechanisms within the region, and (3) providing a regional focal point for contact regarding broad civil rights issues and policies, and (4) management of small and disadvantaged business utilization programs.

5. **SUPERFUND DIVISION.** The Superfund Division has overall responsibility for implementation of site assessment and response action and associated administrative and enforcement activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) PL 96-510, and the Superfund Amendment and Reauthorization Act (SARA). Division serves as the central focal point for evaluation and clean-up of abandoned and uncontrolled hazardous substance sites through enforcement or fund-financed response actions. The division is also responsible for emergency preparedness and response activities under CERCLA, the Clean Water Act (CWA), and the Oil Pollution Act (OPA) in Region 7. Under the direct supervision of the Deputy Division Director, the Division Director's office coordinates and performs resource management support for the division. The Deputy Division Director and those staff reporting to the Deputy Division Director will be responsible for coordinating all planning, budgeting, and measurement activities in the division. The Deputy Division Director will serve as the point of control for tracking and reporting all divisional SPMS, SCAPS, and other programmatic commitments and outputs. This includes management of CERCLIS and other program data management systems. The Deputy Director's office will evaluate on-going program processes and related activities for areas of improvement including resource allocation and workload model development. The Division Director's office will be comprised of the Director, Deputy Director and related staff, Program Consultants, Unit managers, and Support Staff.
6. **WATER, WETLANDS, AND PESTICIDES DIVISION.** The Division is responsible for all programs and activities under the Clean Water Act, Safe Drinking Water Act, and the Federal Insecticide, Fungicide, and Rodenticide Act.. In coordination with National Program Managers and other Regions, the Division is responsible for establishment and carrying out regulations and policies to assure the implementation of the Federal Statutes and protection of the environment in cooperation with the state partners. The Division recommends to the Regional Administrator goals, policies, strategies and plans for carrying out programs appropriate to the Region while being consistent with Statutory mandates and national directions. Provides guidance, technical assistance, direction and financial support to the states in support of their efforts to carry out federally delegated programs. Develops long term strategic plans and annual work plans based upon discussions with state/tribal partners and other stakeholders. Plans are incorporated into annual memoranda of agreements with national program managers assuring compliance with Congressional appropriation policies and the agencies Annual Operation Plan. The Division is responsible for developing and implementing a strategy to move the region toward Community-based Environmental Protection and holistic ecosystem protection and increase the focus on non-point sources, pesticides and agriculture as well as the other current water permitting, enforcement, drinking water and wetlands programs. The combined efforts of the water, pesticides, and wetlands programs, bring together major Regional expertise in dealing with ground and surface water issues.

REGION VI (Dallas, TX)

REGION VI ORGANIZATIONAL CHART



REGION VI FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator and Deputy Regional Administrator are responsible to the Administrator, within the boundaries of Region, for the execution of the programs of the Agency and such other responsibilities as may be assigned. The Regional Administrator serves as the Administrator's principal representative in the Region in contacts and relationships with Federal, State, interstate, and local agencies, industry, academic institutions, and other public and private groups, and is responsible for accomplishing national program objectives within the Region including Total Quality Management and other initiatives, as established by the Administrator, Deputy Administrator, Assistant Administrators, and Headquarters staff office Directors. The Regional Administrator develops, proposes, and implements an approved Regional program for comprehensive and integrated environmental protection activities, manages resources in the Region within guidelines provided by Headquarters, and translates technical programs at the regional level and assures for proposed State standards of regional programs, both internal Agency and State activities.

2. **COMPLIANCE ASSURANCE AND ENFORCEMENT DIVISION.** The Compliance Assurance and Enforcement Division, under the supervision of a Director, is responsible for all activities relating to the compliance and enforcement of the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, and Toxic Substances Control Act. In addition, the division is responsible for a variety of cross-cutting functions within the Region, including reviews under the National Environmental Policy Act, comparative risk and pollution prevention activities, technology transfer, quality assurance, and geographic information system support. The division directs and coordinates regional compliance outreach activities and field investigations to support regional compliance programs. It oversees all enforcement activities, including technical review of information requests, notices of violation, administrative orders, civil referrals, consent orders, and settlements. The division coordinates with other divisions in support of cross-cutting Agency priorities such as environmental justice and community based activities. The division works closely with Headquarters, especially the Office of Enforcement and Compliance Assurance, and other regional offices in support of national compliance and enforcement initiatives, and aligns activities with State compliance and enforcement programs to ensure coordinated actions, and to promote the most effective use of governmental compliance resources.

Under the direction of the Associate Director, is responsible for coordinating several cross-cutting functions whose reach is not limited to activities within the division. Duties include:

Providing overall supervision and management for tracking compliance activities throughout the Region.

Directing the Geographical Information System efforts.

Exercising executive responsibility for environmental assessments in support of the National Environmental Policy Act, coordination of Federal facility compliance activities, and assessments of comparative risk of Agency activities.

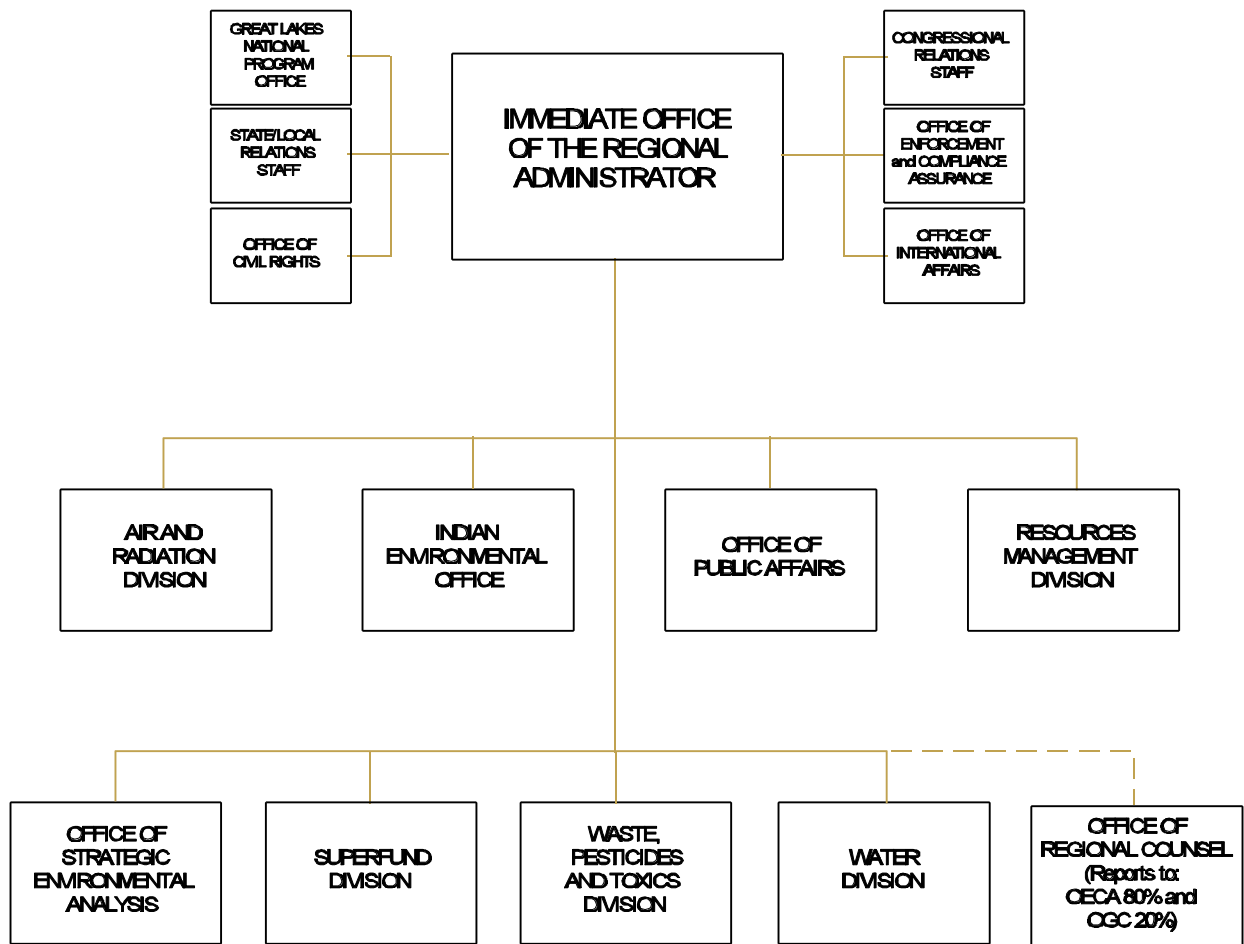
3. **MANAGEMENT DIVISION.** The Management Division, under the supervision of the Assistant Regional Administrator (ARA) for Management, is responsible for laboratory analysis, strategic planning, budget and financial resource planning and management, human resource planning and management, information planning and management, automated processing planning and management, and administrative support planning and management for Region 6. This organization directs the development of the regional operating plan, budget and funds control, management financial systems and analysis activities. Administrative support is provided in the areas of personnel services, civil rights, health and safety, security, facility and property management, information management (automated and hard copy), procurement and contracting and grants administration. Regional analytical support is provided either through the regional laboratory, located in Houston, or through an extensive Contract Laboratory Program managed by the regional laboratory.

The Immediate Office reports to the Deputy Director for Management. This office provides direction and support for all Management Division activities, and provides administrative support for the Division. The Immediate Office also provides administrative and financial support to the Regional Administrator's Office, the Border Outreach Office, the Office of External Affairs, and the Office of Regional Counsel.

4. **MULTI-MEDIA PLANNING AND PERMITTING DIVISION.** The Multi-media Planning and Permitting Division is responsible for implementation of the Federal Clean Air Act, Resource Conservation and Recovery Act, Toxic Substances Control Act, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The Division has enforcement responsibilities for the Emergency Planning and Community Right to Know Act, FIFRA, and the Underground Storage Tank program. Other enforcement responsibilities in Region 6 of the aforementioned Acts are located with the Compliance Assurance and Enforcement Division.
5. **OFFICE OF EXTERNAL AFFAIRS.** The Office of External Affairs (6XA), under the supervision of a Director and Deputy Director, recommends to the Regional Administrator and other management officials, the goals, priorities, and objectives for the Region's external and internal affairs and communication programs. The Office consists of the Immediate Office, Administrative Team, the Regional Native American Team, and the Communication and Education Section. All of these groups report through the Deputy Director to the Director. The Office provides assistance and advice to the Regional Administrator and Senior staff on developing and maintaining effective relationships with the public, legislative bodies, and government agencies at the Federal State, Tribal, and local levels of government. The Office is the Regional protocol point of contact. The Office conducts liaison with the new media serving and serves as the primary point of contact with Regional and national news media for Regional employees. This responsibility includes development, implementation, coordination, and evaluation of communication plans to ensure they conform with national strategy and policy guidelines. The Office of External Affairs coordinates and cooperates with other Regional programs to develop regional strategic plans on matters of mutual concern and manages the Regional Tribal and Environmental Education programs. In addition, the Office is focusing on building alliances, communication with other regional offices, non-governmental offices and sharing information with minority and disadvantaged communities to improve the environment.
6. **OFFICE OF REGIONAL COUNSEL.** The Office of the Regional Counsel is designed to focus Regional legal resources on general counseling, enforcement, Superfund and criminal enforcement responsibilities while maintaining accountability in meeting Agency goals and legal requirements. The Office provides independent counseling and legal advice to the Regional Administrator and Deputy Regional Administrator, division managers, supervisors, and staff regarding interpretation and implementation of Federal laws that govern the Agency's work. The Office is responsible for legal counseling and enforcement involving civil compliance and enforcement functions, interpretation and implementation of the major environmental statutes, referral of lawsuits against outside parties pursuant to removal and cost recovery actions, prosecution and referral of all enforcement cases, permitting activities, delegation, authorization, and approval of state programs, the general administrative requirements of Federal law, including grants, the Freedom of Information Act, contracts, and personnel and ethics issues, and civil enforcement regarding wetlands.
7. **SUPERFUND DIVISION.** The Superfund Division, supervised by the Division Director reporting to the Regional Administrator, is responsible for implementation of the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) the Superfund Amendments and Reauthorization Act (SARA), the Oil Pollution Act (OPA), the Emergency Planning and Community Right-to-Know Act (EPCRA), the Clean Water Act, and aspects of the Clean Air Act.
8. **WATER QUALITY PROTECTION DIVISION.** The Water Quality Protection Division, under the supervision of a Director, recommends to the Regional Administrator goals, priorities and objectives for the regional water program, including water quality planning, evaluation and management, public water supply, groundwater protection, state revolving funds/construction grants, and National Pollutant Discharge Elimination System permit issuance. The Division communicates national and regional operating guidance to States; assists States in developing comprehensive water programs; provides or arranges for technical assistance to state and local agencies and Indian Tribes; and assists States with developing the capability to assume Federal water programs through delegation agreements. This Division ensures that the development, implementation, coordination and evaluation of the regional water program conform to national strategy and policy guidelines, administers the wastewater infrastructure activity and water quality activities for the U.S./Mexico Initiative through the Binational Water Workgroup with Mexico and also provides overall direction and coordination for the regional border efforts. Coordinates and cooperates with other regional programs on matters of mutual concern.

REGION V (Chicago, IL)

REGION V ORGANIZATIONAL CHART



REGION V FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Office of the Regional Administrator consists of the Regional Administrator (RA) and Deputy Regional Administrator(s) (DRAs) and their immediate staff. This staff is structured into five groups, four of which report directly to the DRAs. The five groups are the Congressional Relations Staff, State/Local Relations Staff, Office of International Activities (OIA), Office of Enforcement Compliance Assurance and the Office of Civil Rights. The Office of Civil Rights reports directly to the RA.

The Regional Administrator (RA) is responsible to the Administrator of USEPA for program policy, supervision and direction of the programs and activities of the Agency within Region 5. The Regional Administrator also serves as the National Program Manager for the Great Lakes National Program Office.

The Deputy Regional Administrator(s) assists the Regional Administrator in the discharge of his/her duties and responsibilities and serves as Acting Regional Administrator in his/her absence.

The immediate office will include one or more Regionwide Team Managers who will report directly to the DRAs. The Team Manager is a non-supervisory employee who independently manages a multi-media Regionwide team and receives policy direction and resources from the Senior Leadership Team (SLT). The DRAs will be the SLT sponsor for the specific multi-media priorities assigned to the RAs office.

- a. **GREAT LAKES NATIONAL PROGRAM OFFICE.** The Great Lakes National Program Office (GLNPO) is responsible for developing and coordinating the implementation of programs and plans to address the environmental issues confronting the Great Lakes. GLNPO's responsibilities are based on the requirements of 33 U.S.C.A. Sections 1258 and 1268 of the Federal Water Pollution Control Act; the requirements of 42 U.S.C.A. Section 7412(m) of the Clean Air Act; the requirements of the Great Lakes Water Quality Agreement of 1978, as amended by Protocol on November 18, 1987 (the Agreement; and Headquarters EPA policies and directives.

GLNPO reports to the U.S. Environmental Protection Agency's (USEPA) Great Lakes National Program Manager (NPM), who is also the Regional Administrator. Responsibilities include:

Developing and implementing specific action plans, in cooperation with appropriate Federal, State, tribal, and international agencies, to carry out the responsibilities of the United States under the Great Lakes Water Quality Agreement and any other agreement and amendments.

Establishing and operating a Great Lakes system-wide surveillance network to monitor the water, sediment and biological quality of the Great Lakes, with specific emphasis on the monitoring of toxic pollutants.

Establishing and operating a Great Lakes atmospheric deposition network in cooperation with Environment Canada to monitor atmospheric deposition of hazardous air pollutants and other pollutants to the Great Lakes.

Serving as the liaison with, and providing information to, the International Joint Commission (IJC) and Environment Canada.

Coordinating the actions of the USEPA (including actions by Headquarters and Regional offices) aimed at improving Great Lakes water quality.

Coordinating the actions of the USEPA with the actions of other Federal agencies and State and local authorities, so as to ensure the input of those agencies and authorities in developing water quality strategies, and obtaining the support of those agencies and authorities in achieving the objectives of the Great Lakes Water Quality Agreement.

Providing secretariat support to the NPM in his or her role as the United States Co-Chair of the IJC - Water Quality Board.

In carrying out its multiple functions and responsibilities, GLNPO uses contract services, awards assistance agreements to States, tribes, local governments, universities and non-profit organizations under 33 U.S.C.A. Sections 1254(b)(3) and Section 1258, and executes interagency agreements with other Federal agencies and with Canadian Federal and Provincial agencies.

GLNPO is comprised of an Office of the Director and three branches. The Office of the Director includes a Secretary, and may also include one or more Regionwide Team Managers who will report directly to the Division/Office Director. The Team Manager is a non-supervisory employee who independently manages a multi-media Regionwide team and receives programmatic direction and resources from the Senior Leadership Team (SLT). The Division/Office Director will be the SLT sponsor for the specific multi-media priorities assigned to the Division/Office.

- b. **OFFICE OF CIVIL RIGHTS.** OCR Staff provides Regionwide direction, coordination, assistance and evaluation of all matters pertaining to civil rights, equal opportunity, and affirmative employment for minorities and women. The Regional Director of Civil Rights serves as the principal advisor to the Regional Administrator on all matters having direct or indirect impact on civil rights and equal opportunity.
- c. **CONGRESSIONAL RELATIONS STAFF.** The Congressional Relations Staff provides advice and administrative support to the Regional Administrator and DRAs on Congressional issues and serve as liaison between Congressional Members and the Region.
- d. **OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE.** The Office of Enforcement and Compliance Assurance (OECA) serves as the Regional focal point for enforcement and compliance assurance planning activities. OECA also serves as the principal contact with the National Office of Enforcement and Compliance Assurance as well as the States and Tribes, regarding enforcement and compliance matters. OECA is composed of the Regional Enforcement Coordinator (Coordinator), plus a staff of four employees. The OECA staff reports directly to the Deputy Regional Administrator. Specific duties of OECA include: (1) negotiating and preparing the annual enforcement Memorandum of Agreement; (2) reporting enforcement, including MOA progress; (3) serving as the enforcement policy contact at the senior Regional staff level; (4) coordinating the review and comment on National OECA guidance; (5) advising SLT on enforcement resource and budget allocations; (6) coordinating the development and monitoring of State/EPA enforcement agreements; (7) promoting, coordinating, and tracking multi-media inspections, multi-media cases, pollution prevention activities with respect to SEPs and enforcement aspects of environmental justice activities; (8) coordinating with national OECA Office of Federal Facilities Enforcement; (9) coordinating activities associated with Compliance Assurance and Community Based Environmental Protection; and (10) coordinating matters relating to Sector Initiatives. The Coordinator will act as Chair of the Region's civil and criminal Enforcement Screening Committees. The Coordinator will serve as the Team Leader of the Regional Enforcement Management Team and will work in close cooperation with the Office of Regional Counsel. The Coordinator and Regional Enforcement Management Team will not conduct actual enforcement case work or compliance assistance work.
- e. **OFFICE OF INTERNATIONAL AFFAIRS.** The OIA functions are Regionwide and apply to all international activities of the Region, other than those involving Canada and the Great Lakes National Program Office.
- f. **STATE/LOCAL RELATIONS STAFF.** The State/Local Relations Staff provides direct administrative support to the Regional Administrator and DRAs and serves as liaison between State and Local governments and the RA/DRAs and the program offices.

2. **AIR AND RADIATION DIVISION.** The Air and Radiation Division (ARD), under the management of a Director, is responsible for the implementation of the Clean Air Act (CAA) in Region V and for the administration of the Agency's responsibilities for protecting human health from the adverse impacts of radiation. The ARD provides program guidance and technical assistance to State, local, and tribal air and radiation agencies and, when appropriate, takes direct Federal action.

The Office of the Division Director (ODD) includes the Division Director and a Deputy Division Director who are responsible for the overall direction and management of the ARD.

The immediate office also includes one or more regionwide team managers who will report directly to the Division Director. The team manager is a non-supervisory employee who independently manages a multi-media regionwide team and receives policy direction and resources from the Senior Leadership Team (SLT). The Division Director will be the SLT sponsor for the specific multi-media priorities assigned to the Division.

3. **INDIAN ENVIRONMENTAL OFFICE.** The Indian Environmental Office (IEO) will be headed by an Office Director who will report directly to the Regional Administrator. The IEO will have an Indian Policy role which will define how Tribal activities will be conducted in Region 5, to include redesignation, and various agreements with Tribes and Program delegations. The IEO will manage General Assistance Program Grants which help Tribes to build infrastructure. The IEO will include Indian Environmental Liaisons who provide daily assistance to Tribes and act as a conduit between the Tribes and the Region. The IEO will represent tribal issues within the Region and with Headquarters.

4. **OFFICE OF PUBLIC AFFAIRS.** Responsible for the development, implementation and coordination of public affairs, community involvement, and environmental education programs for Region 5. Represents the Region in contact with the media and public. Serves as the primary point of contact for public inquiries to the Region. Produces or advises upon the most appropriate communications tools, including those for compliance assistance. Ensures that the many publics affected by EPA in Region 5 are involved in regional decision making. Implements the National Environmental Education Act for Region 5. Manages the regional library, which serves the Region 5 public, as well as regional staff. Provides expert consultation and advice to the Regional Administrator and Regional programs on communications matters.

The Office of Public Affairs is comprised of the office director and immediate staff, Public Information and Education Section, Community Involvement Section, and Software Development Staff.

5. **OFFICE OF STRATEGIC ENVIRONMENTAL ANALYSIS.** The Office of Strategic Environmental Analysis (OSEA) provides support to the Senior Leadership Team (SLT) to enable the SLT to decide strategic directions based on sound science and analysis of environmental, economic, and sociological factors. OSEA will promote particularly promising and innovative environmental approaches which are under development both internally and externally.

OSEA works closely with Region 5 Offices/Divisions in the development of traditional and non-traditional cooperative efforts with states, tribes, localities, universities, citizen groups, the private sector, and others. Internal and external experts are brought in on temporary assignments as needed.

The Immediate Office staff will also include one or more Regionwide Team Managers who will report directly to the Office Director. The Team Manager is a non-supervisory employee who independently manages a multi-media Regionwide team and receives policy direction and resources from the SLT. The Division or Office Director, as part of the SLT, will be the sponsor for the specific multi-media priorities assigned to the Division/Office.

Functions and responsibilities of OSEA include:

Environmental Strategic Analysis: advises the SLT on emerging issues and trends and responds to specific requests of the SLT; coordinates and participates in regulatory reform review activities; assists in State strategic planning efforts; develops information on economic, sociologic, and ecologic trends; provides the SLT with interpretation of economic, sociologic, and ecologic trends to support decisions for community-based environmental protection efforts; provides options analysis for SLT

consideration; recommends and evaluates environmental indicators in coordination with internal and external partners; and analyzes the overall environmental status of the Region.

Science and Technology: maintains linkage with ORD; responsible for coordinating the Regional Environmental Monitoring and Assessment Program (REMAP); evaluates information and outputs processed by GIS to identify and rank environmental problems and predict environmental impact and trends; coordinates regional Peer Review activities and acts as contact with HQ on Peer Review responses and actions; and leads the Regional Science Council.

Risk Management: conducts or supports Regionwide and targeted community-based risk assessment/management activities; coordinates and participates on and/or leads regional human health and ecological risk assessment workgroups; and coordinates risk assessment activities with HQ.

NEPA/ESA/NHPA Program Management: provides review, coordination, and scoping on all major Federal actions that may significantly impact the environment through the NEPA/EIS/NHPA process; participates in community based environmental protection issues related to NEPA activities; coordinates the Region 5 Endangered Species Act Protocol; and leads the Region 5 process for compliance with the NHPA.

6. **RESOURCES MANAGEMENT DIVISION.** The Resources Management Division (RMD) is a customer-oriented division which consolidates the management of all Regional resources management and integrity activities under the Senior Resource Official (SRO). The SRO serves as the Region's primary point of accountability for resource management, quality assurance activities and administrative functions. The division provides management advice and services, and administrative management support. It is responsible for some areas of personnel management, for grants management, contract placement and management, safety and security, facilities and space management, small purchasing, general support services and financial management. In addition, the Resources Management Division manages the Central Regional Laboratory, Core Quality Assurance and a Cleveland Field Office.

The Immediate Office of the Assistant Regional Administrator is responsible for the overall direction and management of the RMD. The Associate Director participates fully with the ARA in all phases of development of both short and long divisional planning. The Associate Director is responsible for the providing advice and support in the areas of resources management and customer service. The Immediate Office also includes the Tribal Operations program staff. The Tribal Operations program staff perform liaison field work, grants management and interact with the national program office.

The Immediate Office will include one or more Regionwide Team Managers who will report directly to the Assistant Regional Administrator. The Team Manager independently manages a multi-media Regionwide team and receives policy direction and resources from the Senior Leadership Team (SLT). The Assistant Regional Administrator will be the SLT sponsor for the specific multi-media priorities assigned to the Division.

7. **SUPERFUND DIVISION.** The Superfund Division (SFD), under the management of a Director, is the lead division in Region 5 responsible for implementing the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Superfund Amendments and Reauthorization Act (SARA) and the Oil Pollution Act of 1990 (OPA). The SFD manages the development, coordination, implementation and evaluation of all technical, enforcement and administrative support aspects of the Superfund Program within the Region, including emergency response activities, the SARA Title III program, remedial and enforcement activities at Superfund Sites, State Cooperative Agreements, information and records management, technical analysis and support, and contracts management.

The SFD is organized into the Immediate Office (IO) and four Branches, plus the Office of Chemical Emergency Preparedness and Prevention (OCEPP). The Branches are as follows: the Emergency Response Branch (ERB), the Program Management Branch (PMB), the Remedial Response Branch No. 1 (RRB1), and the Remedial Response Branch No. 2 (RRB2).

The IO, under the supervision of the Director, is responsible for managerial support and programmatic functions/initiatives. These functions/initiatives are as follows: resources management, intergovernmental relations, enforcement coordination, and management of one or more of the Regionwide Teams.

Chemical Emergency Preparedness and Prevention (CEPP) activities, as mandated by Title III of SARA and OPA, include responsibilities for working with the States in Region 5 and with other Federal Agencies, in developing a regional multi-media CEPP and contingency plan and related activities. This office enforces reporting requirements under Title III and EPCRA and reviews risk management plans submitted under the Clean Air Act § 112 (a).

The ERB is responsible for Regional/areawide contingency planning and response to emergency removal actions at uncontrolled hazardous waste sites and oil spills under the provisions of the National Contingency Plan (NCP), CERCLA and OPA. In addition, the Branch directs the development, coordination and implementation of the Early Action Process and Brownfields Initiative and manages counter-terrorism activities.

The PMB is responsible for providing administrative and program support to the removal and remedial programs to implement CERCLA. Quality Assurance Program, Safety and Health Program, contracts/assistance management, and information management (both data and documents) are the functions of this Branch. In addition, the Branch coordinates the out-year planning activities and provides status information regarding the major thrust of the SFD.

The RRBs are both responsible for planning, managing and implementing a program for investigation and clean-up, through remedial and/or enforcement action, at the highest priority uncontrolled hazardous waste sites within the six-State Region, and as such, the Branches direct the development, coordination and implementation of the Remedial Investigation/Feasibility process, the overall Remedial Design and Construction process, Federal facilities coordination, and environmental justice coordination. RRB1 provides enforcement support for both branches.

Community relations activities, in cooperation with the Office of Public affairs, is common to the ERB and the two RRBs.

8. **WASTE, PESTICIDES, AND TOXICS DIVISION.** Under the direction of the Division Director for the Waste, Pesticides, and Toxics Division (WPTD), the WPTD is the lead Region 5 entity responsible for implementing the following: (1) solid and hazardous waste management programs authorized under the Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Disposal Act (HSWA); (2) toxic substances management under the Toxics Substances Control Act (TSCA), including the lead and asbestos management programs; (3) pesticides management under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); (4) the toxics release inventory (TRI) system under the Emergency Planning and Community Right-To-Know Act (EPCRA); (5) underground storage tanks (UST) and leaking underground storage tanks (LUST) under Subtitle I of HSWA. The WPTD is responsible for managing all technical, enforcement and administrative aspects of the RCRA and pesticides and toxics substances programs within the Region. This includes permit review, enforcement, state and tribal authorization/primacy, and special coordination activities. WPTD is organized into four branches: the Program Management Branch, the Pesticides & Toxics Branch, the Waste Management Branch, and the Enforcement & Compliance Assurance Branch.

The Immediate Office will include one or more Regionwide Team Managers who will report directly to the Division/Office Director. The Team Manager is a non-supervisory employee who independently manages a multi-media Regionwide team and receives policy direction and resources from the Senior Leadership Team (SLT). The Division/Office Director will be the SLT sponsor for the specific multi-media priorities assigned to the Division/Office.

A Corrective Action Process Manager will also report to the Division Director and will be responsible for integrating the HSWA corrective action process across the Division.

9. **WATER DIVISION.** The Water Division implements programs authorized under the CWA and SDWA. In many cases, these are implemented in collaboration with State and Tribal governments, through formally delegated programs. In these cases, the Division provides technical support to the States and Tribes, facilitates communication and joint problem solving for issues of concern across the States, and works directly with local governments, environmental groups and citizens to foster understanding of federal programs, and address related issues at the local level. In other, instances, the Division retains direct implementation authorities.

The managers and staff of the Region 5 Water Division are committed to maintaining and advancing environmental and human health gains, preventing or reducing pollution to maximize risk reduction, and protecting human health and natural ecosystems.

The Division accomplishes this mission by developing strong partnerships with States, Tribes, local communities and other stakeholders; leading, facilitating or enabling community -based environmental programs; strategically implementing statutory mandates and considering relative risks and environmental impacts in implementing Federal programs; utilizing enforcement; financial and/or technical assistance to achieve environmental results; addressing the environment and water resources holistically, and promoting efficient and effective water uses; utilizing innovative technology and creative decision-making in Division programs; communicating openly through quality information and education; and measuring and communicating environmental results.

10. **OFFICE OF REGIONAL COUNSEL.** The Office of Regional Counsel (ORC) provides legal counseling to the Regional Administrator and other senior managers of the Region on all matters relating to their official responsibilities. The ORC is organizationally a component of both the Office of Enforcement and Compliance Assurance and the Office of General Counsel in Headquarters.

The Regional Counsel and her staff represent the Region, with the concurrence of the Regional Administrator, in judicial and administrative litigation concerning regional matters. These matters include enforcement actions, defensive actions, counseling matters, and dealings with other Federal agencies, State, local, and tribal governments, and industry and public interest groups.

ORC is responsible for the defense of regional officials in actions taken pursuant to their official responsibilities under the statutes and the regulations governing their programs. In these matters, ORC attorneys work with the Office of General Counsel and the Department of Justice in litigating and negotiating such cases.



Temporary Delegation of Authority

March 24, 2010

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Designate the Regional Administrator of Region 5 National Program Manager for the Great Lakes, to Approve Grants and Cooperative Agreements to Further the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement

TO: Bharat Mathur
Acting Regional Administrator, Region 5

The Regional Administrator of Region 5, as National Program Manager for the Great Lakes (NPM), is hereby delegated authority under the Department of the Interior, Environment, and Related Agencies Appropriations Act (Act), 2010, Pub. L. 111-88, to take all necessary actions to approve grants to and/or cooperative agreements with governmental entities, nonprofit organizations, institutions, and individuals on behalf of EPA for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative (GLRI) and the Great Lakes Water Quality Agreement (WQA).

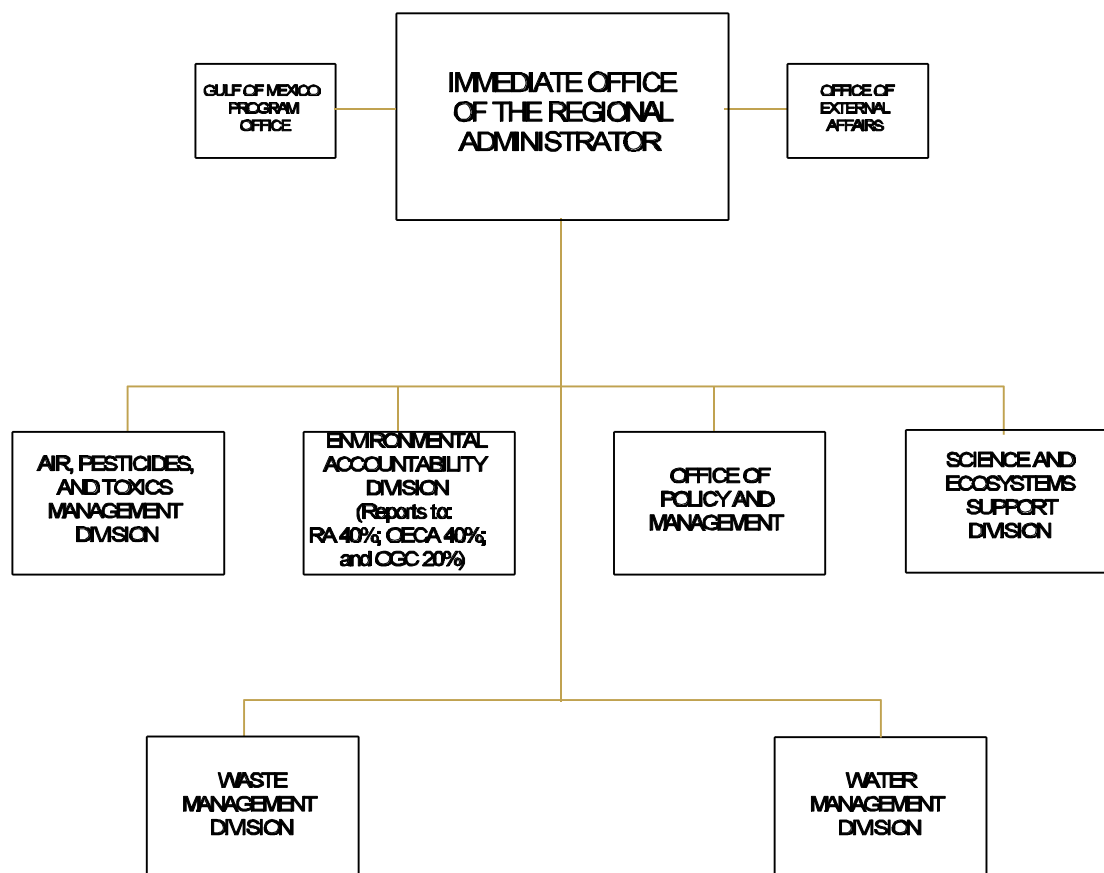
This temporary delegation of authority will remain in effect for a period of one year from the date of issuance, unless extended or superseded by a subsequent delegation. This delegation covers the exercise of the authority described above, subject to the availability of appropriations. This temporary delegation is limited to the purposes stated above and must be exercised in accordance with applicable laws, regulations, and Agency policies and procedures.

The authority in this temporary delegation may be re-delegated to the Director, Great Lakes National Program Office (GLNPO), and no further. Such re-delegations of authority are subject to the limitations described above.

/s/
Lisa P. Jackson

REGION IV
(Atlanta, GA)

REGION IV ORGANIZATIONAL CHART



REGION IV FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator (RA) is responsible to the Administrator, within the boundaries of the Region, for the execution of the Regional programs of the Agency and such other responsibilities as may be assigned. The RA serves as the Administrator's principal representative in the Region in contacts and relationships with Federal, State, interstate, and local agencies, industry, academic institutions, and other public and private groups. The RA is responsible for accomplishing national program objectives within the Region as established by the Administrator, Deputy Administrator, Assistant Administrators, and Heads of Headquarters Staff Offices. The RA develops, proposes, and implements an approved Regional program for comprehensive and integrated environmental protection activities. The RA is responsible for total resource management in the Region within guidelines provided by Headquarters. The RA is responsible for translating technical program direction and evaluation provided by the various Assistant Administrators and Heads of Headquarters Staff Offices into effective operating programs at the Regional level, assuring that such programs are executed efficiently. The RA exercises approval authority for proposed State standards and implementation plans. The RA provides for overall and specific evaluations of Regional programs, both internal Agency and State activities. Within the Office of the Regional Administrator, the Deputy Regional Administrator directs special multi-media and geographic initiative programs. The Deputy Regional Administrator is also responsible for program direction of the Environmental justice Program.

a. **OFFICE OF EXTERNAL AFFAIRS.** The Office of External Affairs (OEA) has leadership responsibilities as the primary regional liaison to the public, Congress, and state and local governments. The Office provides guidance and recommendations to the Regional Administrator, senior management, and staff on how to effectively communicate Region 4 environmental program policies and objectives. The Office represents the Regional Administrator in interaction with national, regional, and local news media and the public, as well as federal, state, and local governments.

Functions include advising management officials on strategies and methods for including information activities in regional programs; implementing programs to solicit public participation and support for EPA policy decisions; evaluating the effectiveness of information and communication programs in furthering Agency goals; advising Agency top management officials on the possible Congressional, public and media reactions to proposed policy statements or Agency actions; increasing Congressional and local government education and communication; and establishing and maintaining effective working relationships with key officials of the press, radio, television, business, industry, education, civic organizations, and federal, state, and local governments.

b. **GULF OF MEXICO PROGRAM OFFICE.** The Gulf of Mexico Program Office (GMPO) is located at the John C. Stennis Space Center (NASA) near Bay St. Louis, Mississippi. GMPO, under the supervision of a Director, reports directly to the Deputy Regional Administrators (DRA) for the EPA Regional Office that is serving as the Management Committee Federal Co-chair. The Management Committee Federal Co-chair position will rotate between Regions 4 and 6 on a two-year basis. The Office is responsible for the coordination and monitoring of national and international programs as they relate to the protection and restoration of the marine, coastal and estuarine resources of the Gulf of Mexico; works directly with other Federal Agencies in the development of the Gulf program; works with Headquarters Office of Water, program offices, and EPA Regional Offices in the development and evaluation of policies and in regulation development where these relate to the environment integrity of the Gulf of Mexico; functions in close partnership with Headquarters and EPA Regions 4 and 6 in developing coordinated activities among the numerous Federal, State and privately funded programs; manages and directs special studies within the Gulf ecosystem for pollution control, remedial action planning, and resource management strategies for preventing degradation of the environment; conducts impact assessments and special investigations in support of the regulatory and planning requirements and future international commitments; develops and implements an effective public information and public education program; provides support for all committees associated with Gulf Program activities (including State Co-chairs of the Gulf Program's Policy Review Board ("PRB") and the Management Committee); makes recommendations to the Deputy Regional Administrator, serving as the Federal Co-chair of the Management Committee on such things as membership, Chairs of the

subcommittees, and other Gulf-related issues; provides staff support to the Regional Administrator serving as Federal Co-chair, PRB; provides a staff support (liaison) role to the Assistant Administrator for Water, in coordination with Regions 4 and 6, for international aspects; and manages other efforts as may be necessary to further the mission of the Gulf of Mexico Program.

2. **AIR, PESTICIDES, AND TOXICS MANAGEMENT DIVISION.** The Air, Pesticides and Toxics Management Division (APTMD) is responsible for the development, coordination, implementation, and evaluation of highly complex regulatory and technical assistance programs required by the large number of major environmental statutes carried out by the APTMD. The major statutes include the 1990 amendments to the Clean Air Act; the Federal Insecticide, Fungicide, and Rodenticide Act; the Indoor Radon Abatement Act; the Emergency Planning and Community Right to Know Act (EPCRA) [under Title III of the Superfund Amendments Reauthorization Act]; and the Toxic Substances Control Act (TSCA) including the Asbestos Hazard Emergency Response Act and the Residential Lead-Based Paint Hazard Reduction Act. The APTMD represents the Region before the Agency in the development and implementation of the many faceted programs for which it is responsible. The APTMD develops and recommends goals, objectives, priorities, and strategies for implementing the legislation and programs within the Region to the Regional Administrator, other Regional Office managers, and managers of responsible offices within EPA Headquarters, particularly the Office of Air and Radiation and the Office of Prevention, Pesticides, and Toxic Substances.

The APTMD develops programs for providing authoritative guidance and technical assistance to state and local governments and regulatory agencies in forming necessary plans and programs to implement national legislation and requirements. The APTMD develops programs for reviewing and approving state and local programs for implementing multiple provisions of the Federal environmental statutes identified above including approval of EPA delegation to state and local governments or approval of state and local regulatory plans and strategies. The APTMD establishes partnerships with state and local governments, the regulated community, and other stakeholders to develop and implement programs for implementing statutory mandates and achieving environmental goals for protecting health and vital ecosystems within the Region and for resolving complex environmental problems which require multi-media considerations and/or multi-state or inter-regional solutions. The APTMD and its components initiate and/or participate in the development and implementation of major initiatives and studies to solve air or other environmental problems associated with specific geographic, place-based and/or communities. The APTMD conducts and supports outreach programs for obtaining stakeholder participation including the regulated community and the general public for reducing exposures to environmental risks. This includes major outreach efforts for programs which are not regulatory programs required by national statutes but serve to reduce substantial risks (e.g., radon, radiation, and indoor air). The APTMD coordinates with the Region's Science and Ecosystem Support Division (SESD) on the establishment and support of monitoring systems and programs for assessing environmental progress and for maintaining good science in conducting monitoring for measuring environmental conditions and trends throughout the Region.

The APTMD consists of four Branches reporting directly to the Division Director. The four Branches are: the Air Planning Branch; the Air and EPCRA Enforcement Branch; the Air and Radiation Technology Branch; and the Pesticides and Toxic Substances Branch. The APTMD has a Deputy Director who fully shares with the Director the management and direction of all phases of the organization's program and work.

The APTMD in performing its responsibilities routinely uses various collections of managers and staff within the organization in working partnerships and group dynamics (some of short duration, others of longer duration) including self-managed and appointed work teams to provide consultation, discussions, coordination, and oversight on the development and implementation of diverse programs and activities for carrying out APTMD responsibilities. These work teams and work groups regardless of location within the APTMD or purpose are led or coached by appropriate managers, specific program managers, or technical experts.

The Immediate Office of the Division Director is composed of the Director, Deputy Director, an administrative and technical support staff, including an Administrative Officer, Freedom of Information Act (FOIA) Specialist, Program Analyst, and Program Manager for pollution prevention. The Office is responsible for the programmatic, administrative, managerial, and financial support activities within the Division. Functions include, but are not limited to, project coordination, budget management and financial integrity, personnel related functions, procurement, etc.

The Office is also comprised of a **Grants Team**. The Team manages the administrative aspects of APTMD's grants programs which include grants awarded under Sections 103 and 105 of the Clean Air Act and the National Environmental Performance Partnership System, as well as grants for the radon, pesticide and TSCA programs. Administrative responsibilities include the negotiation, award, management, and close-out of all grant awards. Each year, the Team develops the allocation scheme for distributing the grant funds and develops, in cooperation with the branches, a generic grant work plan and reporting requirements. The Team facilitates negotiations between the State and Local agencies and the branches on individual work plans and then finalizes the work plans. The Team works with the Region's Grants Management Office to process grant applications and award the funds. Throughout the year, the Team tracks the progress of each grant via reporting requirements and expenditures. The Team closes out grants upon completion of the work plans and reconciliation of unspent resources. In addition to tracking grant funds, the Team tracks resources for community-based environmental projects, State and Local set-asides, and interagency agreements. The Team represents the Division on several Regional administrative and planning committees.

3. **ENVIRONMENTAL ACCOUNTABILITY DIVISION.** The Environmental Accountability Division's (EAD) mission is to 1) manage the Region IV enforcement and compliance assurance program, 2) coordinate and integrate cross program functions, including environmental impact assessment and federal facility and tribal liaison, 3) lead the Region IV environmental justice effort, and 4) provide legal advice and assistance to all Region IV program and management divisions and offices.

To accomplish #1 above, EAD is responsible for overseeing the strategic planning and implementation of the Region's enforcement and compliance assurance program. The primary enforcement planning document is the Memorandum of Agreement (MOA) with the Office of Enforcement and Compliance Assurance (OECA). EAD will be charged with developing this document, in conjunction with the Region's program divisions, and will be responsible for monitoring its implementation by the program divisions. It is EAD's responsibility to ensure that the Region's enforcement and compliance assurance program appropriately reflects the Agency's emphasis on multimedia approaches, including sector based and community based approaches.

Under #2 above, EAD is responsible for preparing and reviewing National Environmental Policy Act (NEPA) documents, as well as for special environmental studies and reviews. It is also responsible for all federal facility and tribal liaison activities.

EAD serves as the Region's champion of environmental justice under #3 above. In conjunction with a cross-divisional environmental justice team, EAD is responsible for developing and implementing the Region's environmental justice strategy.

Finally, under #4 above, EAD is responsible for providing all necessary legal support for the Region's operations. This support includes prosecuting enforcement actions, providing counsel and assistance in the implementation of environmental program, and providing counsel and assistance in support of Regional management and operations, including grants, contracts, and general law.

EAD's responsibilities include:

Providing leadership and facilitation in implementation of national enforcement activities and initiatives.

Managing Region IV's negotiations of the MOA between OECA and the Region which outlines the activities, initiatives, and programs that will be implemented within the Region to promote and achieve the Agency's goals.

Planning, targeting, coordinating, and overseeing of Region IV enforcement and compliance assurance activities.

Coordinating the Region IV environmental justice program and the outreach to environmental groups and communities.

Providing all legal support for the Region IV enforcement program and all legal counseling.

Assisting Regional program offices in drafting terms and conditions for permits, notices of violation, administrative orders and complaints, and ensuring their enforceability-and defensibility.

Representing Region IV in administrative hearings and in administrative appeals.

Assisting in negotiating enforcement matters.

Preparing cases for referral to OECA or directly to the Department of Justice (DOJ) for judicial action and supporting DOJ and/or the U.S. Attorney in regional litigation.

Assisting regional program offices in criminal enforcement activities.

Coordinating the Region's enforcement and compliance assurance activities involving Federal facilities.

Preparing NEPA documents and reviewing NEPA documents of other Federal agencies.

Assisting Regional program offices in developing policy consistent with national Agency objectives.

Handling bid protests and grant appeals relating to the construction grant program.

The Director of the Environmental Accountability Division and Regional Counsel (Director) is the senior legal official within Region IV. The Director is responsible for Region IV's overall enforcement program and for providing legal counsel to the Regional Administrator and staff offices of the Region. The Director serves as a member of the Region IV Management Team and works with this team to ensure accomplishment of the Region's enforcement and compliance assurance goals and objectives. The Director advocates and facilitates integrated, cross-program environmental enforcement, and provides Regional leadership in such integration and problem solving.

The position of Director is a Senior Executive Service position. The Director, as chief legal officer for Region IV, is both responsive to the needs and priorities of the Regional Administrator and sufficiently independent to provide correct and timely legal counsel and advice which is appropriately coordinated with the Office of General Counsel (OGC) and consistent with the General Counsel's interpretation of the law. In order to ensure sufficient independence of the legal counsel and advice provided by the Director's staff, the Region and OGC have agreed that the hiring, promotion, and termination of attorneys within EAD is subject to concurrence by OGC.

4. **OFFICE OF POLICY AND MANAGEMENT.** The Office of Policy and Management, under the direction of an Assistant Regional Administrator (ARA), oversees the following: resource allocations; policy, standards, regulations, and legislative analysis and development processes and its implementation; program management and evaluation activities, providing planning and management advice and services; and administrative management support to the Regional Administrator, Deputy Regional Administrator, all components of the Regional Office and to such others as the Regional Administrator may direct. The functions of the office include personnel management; financial management; automatic data processing; safety and security; facilities and space management; general services; regional program planning, development and evaluation activities; the management of the Region's grant-making responsibility, as well as the coordination and monitoring of interstate, state, and substate agencies receiving EPA program grants assistance, including consolidated or integrated program grants, and the integration and coordination of regional, interstate, state, and substate grant assistance programs. Serves as the regional focal point for grants and audit management, and contracts administration procurement activities. Also serves as Senior Procurement Officer for Region IV contracts. Recommends to the Regional Administrator the assignment of those activities which have not been specifically delegated to an operating division, and coordinates intermedia and multimedia activities.

The ARA serves as the Senior Information Resource Management Official (SIRMO). As SIRMO, approves major purchases of Information Resources Management (IRM) equipment and is ultimately responsible for IRM functions.

The ARA serves as Senior Resource Official (SRO) for the Region. The SRO is responsible for resource management in the acquisition, assistance, and financial management offices for the Region. Ensures that appropriate and effective systems, procedures, controls, communication, and outreach programs are in place for accountable fiscal resource management. Reviews and approves resource management documents in accordance with Federal and Agency requirements.

The ARA serves as the Region's Chief Financial Officer (CFO). The CFO ensures compliance with the CFO Act, as delegated. Provides oversight of all financial management activities relating to the programs and activities of the Region.

In consultation with the Region's operating divisions, formulates, develops, and monitors the regional operating budget and develops recommendations for appropriate resource programming/reprogramming actions. Maintains control of all policy and regulatory issuances.

As the Region's EEO Director, the ARA provides advice and assistance to the Regional Administrator, Deputy Regional Administrator, Divisions, and other staff offices on matters relating to the regional civil rights program.

Provides the Regional Hearing Clerk functions, Regional Directives and Policy systems for the Region, coordinates FMFIA and Internal Control Documentation for OPM, OCA, OPA and the RA's staff.

Provides tracking and reporting of (1) administrative functions, such as travel, furniture, space and equipment; (2) personnel actions and activities, including the awards process, hiring and the performance appraisal process; and (3) tracking and reporting of the operating year budget.

A Work Force Development Specialist provides coordination and development of divisional training and orientation activities, including participation in Agency/Regional human resources, affirmative action and EEO activities and initiatives.

5. **SCIENCE AND ECOSYSTEMS SUPPORT DIVISION.** The Science and Ecosystem Support Division provides overview support, as well as good science for conducting community and place-based studies for human health and ecosystem protection. The ability to provide field assessment and laboratory support for conducting ecological assessments of geographic places and health assessments of communities for the media programs must be maintained (e.g., air, water supply, water quality, water enforcement, pesticide, toxic substance, water management, RCRA, Superfund, and criminal programs in EPA, Region 4. Functions of the division include (1) planning, coordinating, and conducting ecosystem studies/ investigations; (2) enhancing the development and implementation of good science; (3) overseeing implementation of the quality assurance programs in Region 4; (4) providing technical assistance to state and local agencies; (5) training; (6) in cooperation with program divisions, providing support to the Office of Integrated Environmental Analysis (OIEA) to identify and implement integrated environmental information management techniques and technologies for regional and state use; and (7) providing state-of-the-art training courses to federal, state, local, and on occasion foreign country personnel in proper environmental investigation and analytical techniques.

6. **WASTE MANAGEMENT DIVISION.** The Waste Management Division, under the supervision of a Director and assisted by a Deputy Director, is responsible for the development, coordination, implementation and evaluation of the Regional Solid and Hazardous Waste and CERCLA (Superfund) programs. The Division recommends goals, priorities, and objectives for these programs to the Regional Administrator and other appropriate Regional management. It assists the States in developing comprehensive programs within delegated or related program areas, including providing or arranging for technical assistance to state and local agencies in developing necessary plans, monitoring systems, instrumentation, data collection and analysis systems, and emergency response, including imminent hazards. The Division represents the Region in carrying out the implementation of the Government and Performance Results Act (GPRA) requirements and the other programs for which it is responsible.

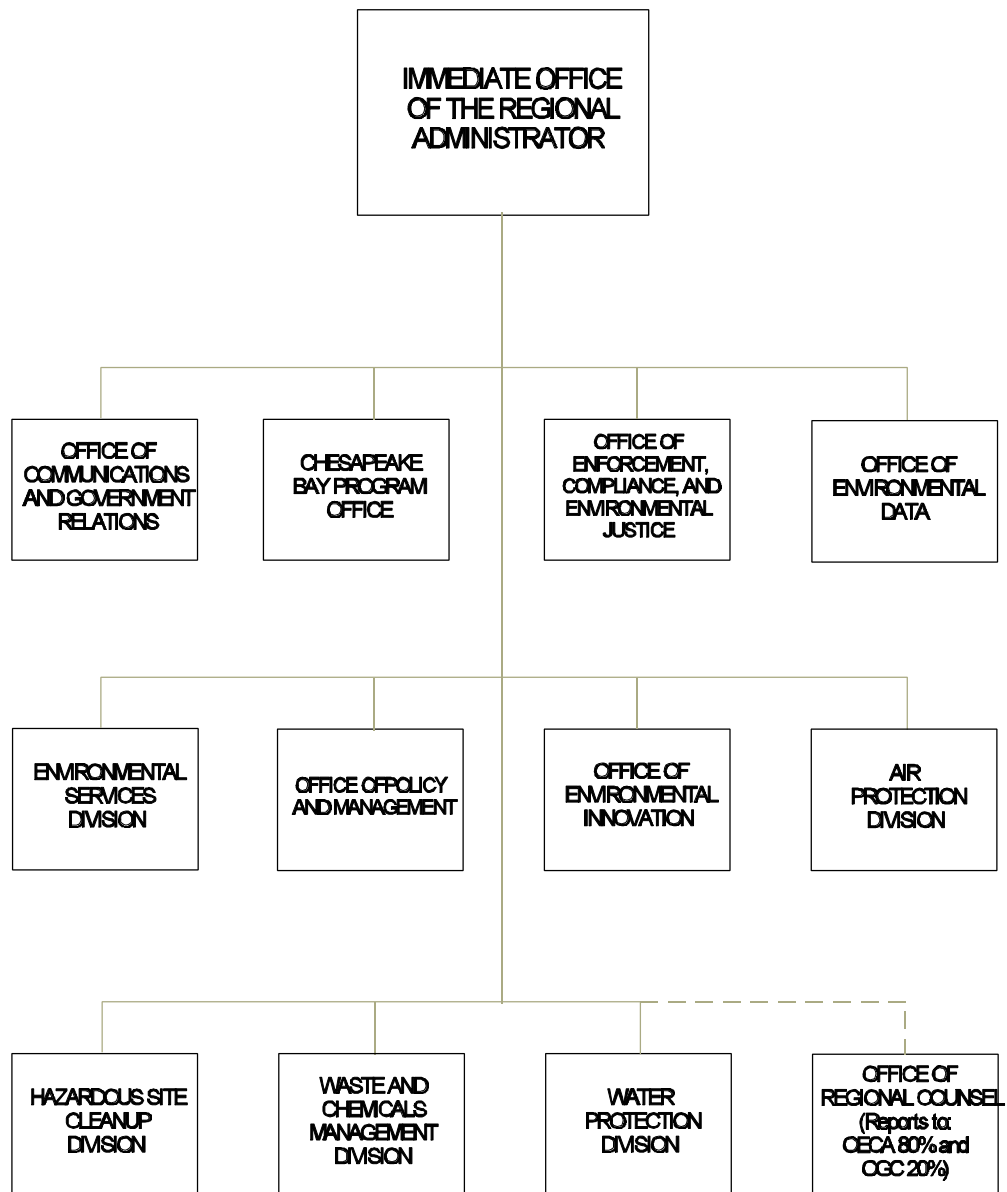
The Deputy Director is delegated the authority of Acting Director of the Waste Management Division in the absence of the Director and will report directly to the Director of the Waste Management Division. The Deputy Director is a member of the Division's Upper Level Management Self Managed Work Team.

7. **WATER MANAGEMENT DIVISION.** The Water Management Division, under the supervision of a Director and assisted by the Deputy Director, is responsible for the development, coordination, implementation, and evaluation of the Region's Clean Water Act (CWA) water quality management programs, National Pollutant Discharge Elimination System Program, Domestic Sewage Sludge Use or Disposal Management Program, Construction Grants Management Program, Nonpoint Source

Management Program, Clean Lakes Program, Wetlands Protection Program, Coastal Program, and State Revolving Fund Loan Program; the Safe Drinking Water Act (SDWA) Public Water Supply Supervision Program and Underground Injection Control Program; the Resource Conservation and Recovery Act (RCRA) Underground Storage Tank Program; the Coastal Zone Act Reauthorization Amendments (CZARA) Coastal Nonpoint Source Program; the Marine Protection Research and Sanctuaries Act; the Florida Keys National Marine Sanctuary and Protection Act; and the Comprehensive State Ground Water Protection Program. The Water Management Division also manages the State and Indian Tribe water program grants activities for Sections 106, 205, 314, and 319 of the CWA; Sections 1412, 1413, 1414, 1421, 1422, and 1423 of the SDWA; and the Underground Storage Tank Program under RCRA. The Water Management Division assists the States and Tribes in developing and maintaining delegated programs by providing financial support, technical support and advice, and program evaluations and recommendations. The Water Management Division recommends to the Regional Administrator the goals, priorities, and objectives for the Division programs and represents the Region in carrying out the implementation of the programs for which it is responsible.

REGION III (Philadelphia, PA)

REGION III ORGANIZATIONAL CHART



REGION III FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator (RA) is responsible to the Administrator, within the boundaries of Region III, for the execution of the Regional programs of the Agency and such other responsibilities as may be assigned. The RA serves as the Administrator's principal representative in the Region in contacts and relationships with Federal, State, interstate and local agencies, industry, academic institutions, and other public and private groups. The RA is responsible for accomplishing national program objectives within the Region as established by the Administrator, Deputy Administrator, Assistant Administrators, and Heads of Headquarters Staff Offices. The RA develops, proposes and implements an approved Regional program for comprehensive and integrated environmental protection activities. The RA is responsible for total resource management in the Region within guidelines provided by Headquarters. The RA is responsible for translating technical program direction and evaluation provided by the various Assistant Administrators and Heads of Headquarters Staff Offices into effective operating programs at the Regional level, and assuring that such programs are executed efficiently. The RA exercises approval authority for proposed State standards and implementation plans. The RA provides for overall and specific evaluations of Regional programs, both internal Agency and State activities.

The Deputy Regional Administrator (DRA) assists the RA in the discharge of his duties and responsibilities and serves as Acting RA in the absence of the RA. The DRA is the Principal Accountable Official for Enforcement in the Region.

2. **AIR PROTECTION DIVISION.** The Air Protection Division (APD), under the supervision of the Division Director and Deputy Division Director, is responsible for the management and implementation of the Region's programs to protect, preserve and enhance air quality. APD administers programs authorized by the Clean Air Act (CAA), as well as implementing and coordinating non-statutory programs and priorities such as energy conservation and global climate change, pollution prevention, geographic initiatives, and education/outreach programs designed to reduce pollutant loadings to the environment. APD recommends to the Regional Administrator (RA) goals, priorities, objectives and policies for these programs.

The Director and Deputy Director meet their responsibilities with the cooperation and assistance of a management team that includes a non-supervisory Associate Division Director for Air Programs, a supervisory Associate Division Director for Enforcement and Permits, and five Branch Chiefs.

APD consists of five functional Branches, the Deputy Division Director, and two offices, each headed by one of the Associate Division Directors. The Director is the direct supervisor of the Deputy, the two Associates, and the Branch Chiefs. The Office of Air Programs integrates all program and regulatory planning development and implementation activities required by the CAA. The Office of Enforcement and Permit Review is responsible for planning, coordinating, and providing expertise for CAA compliance and permitting programs.

The Immediate Office is responsible for long term strategic planning and implementation, and development of annual Memoranda of Agreement with national program offices. In addition, the Office is responsible for assigned Lead Region, and sub-Lead Region activities, environmental justice activities, environmental indicator development, international projects and programs, and coordination of specific geographic initiatives. The Immediate Office includes a core staff, under the Deputy Division Director, which is responsible for grants and budget management, communications coordination, customer service, responsibilities under the Federal Managers Financial Integrity Act (FMFIA), administrative quality audits and internal procedural analyses, personnel management and control of resource utilization, determination of resource allocation based on priorities and needs, training strategies, coordination of the Senior Environmental Employee (SEE) program, organizational analyses, total quality administration, contracts administration, data system management and Local Area Network (LAN) coordination.

3. **CHESAPEAKE BAY PROGRAM OFFICE.** The Chesapeake Bay Program Office (CBPO), under the supervision of an Office Director and Deputy Director, is responsible for developing and implementing a program which addresses the impact of all types of pollution and media for the transport of pollution which impact the overall environmental health of the

Chesapeake Bay. The Program is derived from Section 117 of the Clean Water Act (CWA) as modified by formal Agreements between EPA, on behalf of the Federal Government, and States in the Basin.

Under Section 117, the CBPO is responsible for monitoring, data collection and staff support activities as well as preparation and maintenance of an interstate management plan. Section 117 also empowers EPA to make grants to States for the implementation of the plan.

The CBPO's relationship with the States is established by the Chesapeake Bay Agreement, which was signed by the EPA Administrator. Its relationship with other federal agencies is formalized through Memoranda of Agreement and Inter-agency Agreements entered by the RA.

The CBPO Director is located in Annapolis, MD while the Deputy Director position is in the Regional Office in Philadelphia, PA. The CBPO has a Policy Planning Team and three staff clusters for Science, Ecosystem Management, and Communications and Support.

4. **OFFICE OF COMMUNICATIONS AND GOVERNMENT RELATIONS.** The Office of Communications and Government Relations (OCGR), under the supervision of the Director and Deputy Director, is responsible for planning and implementing the Region's programs involving communications, congressional and state legislative relations, contacts with academic institutions, industrial, environmental, and public interest groups, the media, and liaison with federal, state and local agencies representatives and their governments. OCGR is responsible for developing and managing the Region's external affairs plan and communication strategies, serves as Regional focal point for customer service, and manages the Region's environmental education program and environmental education center.

This includes the following specific activities:

Advises the RA and Senior Management on Federal and State and Local legislative matters.

Arranges briefings for Members of Congress and Congressional staffs on important environmental issues, preparing informational packages for use by Congressional staffs, as well as maintaining good working relations through frequent contact.

Prepares testimony and briefs Regional personnel for appearances before Congressional and State legislative committees.

Briefs Senior Management on current developments in Congress, the States, Local Government Initiatives, the Courts, and EPA Headquarters that may impact the Region. State Liaison Officers have direct access to the RA and other Regional senior management.

Evaluates and monitors state program performance. Advises and attempts to avoid potential problems through close working relationships developed by the State Liaison Officers.

Through use of the State Liaison Officers, arranges regularly scheduled trips for the RA and other Senior Managers to meet with state, local, industrial, environmental, and education group officials. Represents the Region at meetings with these groups.

Assists EPA Headquarters in analyzing potential changes to existing legislation and guidelines.

Manages the state and local government assistance program.

Serves as the Regional focal point for all Congressional, Executive and Freedom of Information Act Correspondence.

Advises the RA and Senior Management on how information should be presented to the public, as well as the timing and impact of release of information.

Plans and organizes an overall communications strategy designed for internal and external communications.

Writes speeches, news releases, and other outreach materials.

Identifies critical news issues and arranges media interviews for the RA and Senior Management with editorial boards, TV, radio and newspaper reporters.

Manages the Region's environmental education program and Public Environmental Education Center (PEEC).

Oversees the management of the Regional Hotline which responds to public inquiries.

5. **OFFICE OF ENFORCEMENT, COMPLIANCE, AND ENVIRONMENTAL JUSTICE.** The Office of Enforcement, Compliance, and Environmental Justice (OECEJ), under the supervision of the Director, serves as the focal point for conducting and coordinating enforcement policy national guidance and compliance assurance, regional and state enforcement planning, developing regional multi-media enforcement actions, screen and coordinating civil enforcement cases, provides technical support and provides direct field work to the region's overall enforcement and compliance programs, and data management and reporting.

The Office is responsible for identifying and developing multi-media cases, implementing a Regional multi-media case development strategy, and managing the litigation of these matters.

Advises the RA, DRA, Enforcement Management Council, Enforcement Branch Chiefs, and Senior Management on Federal and State enforcement guidance and policy matters.

As only attorneys in the Office of Regional Counsel can provide legal advice that is binding on the Region, the attorneys detailed to OECEJ regularly consult and report to the Regional Counsel on legal counseling matters.

Works to facilitate and improve Regional/State enforcement relationships. Leads the negotiations with the States regarding any enforcement/compliance or environmental justice issues within the region to develop Performance Partnership Agreements.

Coordinates with the Region's Federal Facilities Enforcement Program.

Policy and Planning. Serves as the regional enforcement and compliance assurance policy contact for EPA Headquarters, states, and local officials. In this regard, comments on program and policy guidance in coordination with program offices, and issues regional guidance, implementation plans and policy statements, as appropriate.

Identifies, suggests, coordinates, and tracks Supplemental Environmental Projects. Conducts outreach and develops and maintains the regional SEP Idea and Product Library.

Coordinates and chairs Region's civil enforcement case screening meetings.

Leads the development of the Regional Enforcement MOA with HQ/OECA, leads the negotiations, and evaluates the Region's accomplishments under the MOA.

Responsible for coordinating the implementation of the agency's self disclosure audit and other cross-media policies through participating in the national quick response team, advising, training, and tracking activities.

Provides leadership information and guidance on compliance assistance strategies, tracking and results measurement.

Responsible for cross-medial enforcement communications, including web site management.

Environmental Justice. Responsible for ensuring that all aspects of Regional operations, procedures, and activities address environmental justice concerns.

Focusing multi-media capabilities in geographic areas of concern.

Ensuring that the Region has an integrated, comprehensive approach to accomplishing the environmental justice mission of EPA. In addition, the Office is responsible for legal review of environmental justice policy and guidance, participating on national workgroups including, but not limited to the Indian Law Workgroup and the Environmental Justice Workgroup.

6. **OFFICE OF ENVIRONMENTAL DATA.** The Office of Environmental Data (OED), under the supervision of the Director, serves as an interface between the Region's research and monitoring programs (the data collectors) and the Region's operating programs and outreach organizations to interpret and provide scientific data to support the Region's programs and policy decisions in a form that is suitable for dissemination to the public. OED interprets raw data from research programs and monitoring activities to identify the implications for public health, environmental restoration and protection, and enforcement targeting. In fulfilling this mission, OED has the following specific functions:

Coordinates the development of data source reports and illustrations describing the location and extent of present trouble spots, future problem areas, and those locales showing environmental improvement.

Calculates the spatial proximity between environmental threats and cities, schools, drinking water sources, environmental justice areas, and describes the potential human and environmental impacts that may result.

Identifies high priority natural resource areas (e.g., wetlands, spawning areas) and defines their relationship to EPA programs involving watersheds, water quality standards, Superfund sites, and Air Federal Implementation Plans.

Provides data, information and tools to the public and communities so they can access and evaluate environmental information for their "neighborhoods."

Notifies researchers and data collectors of the type, extent, purpose and necessary time frame for the information that is needed for program management decisions and priorities.

Provides information on and analysis of the effectiveness of various environmental programs.

Solicits customer input to determine information needs.

7. **ENVIRONMENTAL SERVICES DIVISION.** The Environmental Services Division (ESD), under the supervision of the Director and Deputy Director, has responsibility for developing, consolidating, assessing, and disseminating environmental information and statistics; developing and implementing strategies for ecosystem and human health protection efforts, including the Community Based Environmental Protection Program; supporting the Regional and National EPA air, water, and hazardous waste programs; administering and implementing regulatory responsibilities in Region III.

ESD plays a major role in the development and dissemination of environmental information and statistics. Through assessments of the environmental health of the Region, the division fulfills a wide range of data needs for a variety of customers including the Regional programs, State agencies, local governments, and the general public. ESD develops and gathers new data; consolidates existing data from a variety of sources; and provides data analysis in formats that suit the needs of the users. The division monitors the health of ecosystems and the public through field and analytical functions. The ESD seeks, evaluates, and implements state-of-the-art monitoring techniques to provide efficient and valid characterizations of the environmental conditions.

ESD's second role is to develop and implement strategies for ecosystem and human health protection. The division focuses on the protection of aquatic and terrestrial habitat and acts as the lead for the Region's community based environmental protection efforts. ESD uses environmental information and data to target and prioritize environmental problems and geographic areas of concern. The geographic areas may be defined by watersheds as the basic ecological framework; however, they might also be defined by other ecologically relevant units, such as ecoregions, or environmentally relevant units for human health purposes, such as urban neighborhoods. ESD seeks collaboration with local stakeholders in developing plans by acting in a number of roles, such as convener, leader, partner or facilitator. After the plans are developed, ESD's role in implementation consists of actively identifying and applying assistance, tools, and activities from EPA sources. Assistance ranges from grants and financial

support to advice on developing a citizens monitoring program. As implementation progresses, ESD continues to monitor and assess the environmental conditions in the area to evaluate success.

In its third role as support to the Regional and national air, water, and hazardous waste programs, ESD provides a number of products and services to a diverse group of customers both within and outside of EPA. The division provides characterization data to other Regional offices for use in their regulatory programs. ESD directs and coordinates wetlands compliance evaluations and monitoring services within the Region. ESD also provides the necessary laboratory analytical services and quality assurance in support of program activities. The division also offers specific technical advice and assistance to State and local agencies concerning methodologies and quality control, and laboratory analyses as required to assure the success of field investigations. ESD conducts special studies, investigations, analyses, and surveys to acquire the necessary data to support the program offices.

In its regulatory role, ESD is responsible for the implementation of ambient air and water quality monitoring programs, the National Environmental Policy Act (NEPA), Section 404 of the Clean Water Act (CWA), Marine Protection, Research and Sanctuaries Act, Ocean Dumping Ban Act of 1988, and the Rivers and Harbors Act. Additionally, the Division has responsibility for implementation of Section 320 of the Clean Water Act for the national estuary program, coastal and marine monitoring and protection, and coordination and oversight of the environmental management of federal facilities.

The administration and implementation of ESD's responsibilities are carried out by the Division's components: Immediate Office of the Director, Office of Ecological Assessment and Management, Office of Environmental Programs, and Office of Analytical Services and Quality Assurance.

Each of the Offices has program responsibilities which are carried out by teams of staff. The term "program" is used to describe a set of responsibilities and activities which support a similar function within the branch. Each program is staffed by a "team." "Team" is used to describe a group of people working on a specific set of program activities.

The Immediate Office of the Director acts as a central coordinating office for ESD's administrative functions. Specifically, the Office manages the division's annual strategic planning process; tracks the division's resources; tracks and manages the division's personnel actions and budgets, including travel, training and operating; provides contract and grant management and oversight for the division; manages the division's records and files; and coordinates the division's response to all controlled correspondence or requests.

The Immediate Office also serves as the central location for coordination with EPA's Office of Research and Development (ORD) with regards to large scale monitoring and research efforts. The Office acts as a liaison to ORD by providing technical and programmatic assistance in developing monitoring goals and objectives and implementing plans for national and Regional monitoring and assessment programs.

8. **HAZARDOUS SITE CLEANUP DIVISION.** The Hazardous Site Cleanup Division (HSCD), under the supervision of the Division Director and Deputy Director, is responsible for all Regional activities regarding sites contaminated by hazardous substances and response to spills of hazardous substances. HSCD recommends to the Regional Administrator (RA) goals, priorities and objectives of the Regional Superfund and Oil programs. In carrying out its functions, HSCD administers the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA). The Office is also responsible for Regional implementation of the SARA Title III Chemical Emergency Preparedness Program (CEPP) and carries out the Regional spills program pursuant to §311 of the Clean Water Act (CWA) as amended by the Oil Pollution Act (OPA).

The Immediate Office of the Division Director is responsible for the general management and administration of HSCD. The management and administrative responsibilities are performed by a core staff under the day-to-day supervision of the Deputy Director. These responsibilities include the direction and coordination of budget and human resources; intra/inter divisional coordination; State liaison; intra-divisional, Regional and national multi-media/cross-media and comparative risk areas; oversight of HSCD's implementation of Regional strategic planning efforts, and making recommendations to the Director and operating branches about activities that would enhance HSCD's performance and efforts in these areas. Specific responsibilities are:

Determines fiscal and personnel requirements and controls resource utilization and over-ceiling rates for HSCD. Provides administrative and overall program guidance to the Director and branch chiefs. Determines resource requirements, and allocates resources based on priorities and needs throughout the fiscal year.

Conducts work force studies of skill-mix and work force composition to determine recruitment and training strategies for HSCD. The studies focus on both short-term programmatic needs and equal employment opportunity goals, as well as future needs dictated by Regional strategic planning efforts.

Coordinates all aspects of the Senior Environmental Employment (SEE) program in HSCD.

Coordinates HSCD's training program and program delegation authorities.

Manages HSCD's equipment inventory.

Inter/Intra Office Coordination:

Coordinates audits and prepares audit responses in the division.

Manages all of HSCD's controlled correspondence.

Coordinates negotiations with other divisions concerning program support and associated resources. Oversees inter-divisional Memoranda of Agreements (MOAs).

Maintains HSCD's delegations of authority and initiates changes and updates when appropriate.

Coordinates and maintains communications with staff of the Office of Communications and Government Relations and the Office of the Regional Administrator on the media, the public and Congressional offices.

Serves as the HSCD representative on Regional task forces created to develop and oversee implementation of the Region's strategic planning and priority initiatives. Coordinates HSCD participation in these efforts, including preparation of HSCD's portion of the Region's strategic plan.

Responsible for overseeing all activities involving the Office of Research and Development's (ORD) interaction with the hazardous waste program in the Region. Efforts include arranging for seminars, technical assistance, and preparing critiques of technical reports relating to recent research efforts and their applications to HSCD program areas.

Conducts special analytical studies that evaluate the effectiveness of program implementation. Activity includes ensuring the orderly flow of technical information between organizational entities, as well as programs. Provides staff information pertaining to Superfund specific data bases.

Coordinates and serves as the focal point with the Office of Solid Waste and Emergency Response, Office of the Inspector General, General Accounting Office, and State audit agencies in reviewing general program areas and in communicating these results internally and externally. Oversees evaluation of technical contracts and ensures the successful implementation of all contract responsibilities related to the Federal Manager's Financial Integrity Act (FMFIA).

Periodically monitors progress and initiates management evaluations to ensure successful project completion, adequate documentation and quality contractor work products.

The Division consists of four branches: Enforcement and Federal Facilities Branch; Remedial Branch; Removal Branch, and Technical and Administrative Support Branch.

9. **OFFICE OF POLICY AND MANAGEMENT.** The Office of Policy and Management (OP&M), under the supervision of the ARA and Deputy ARA, is responsible for planning, reviewing, organizing, directing, controlling, coordinating and

supporting the Regional programs involving personnel, administrative and financial management, contracting and procurement, grants management, Regional planning and policy formulation, regulatory reform, Regional participation in regulation development, advising on the management process, and resolving audits. OP&M is responsible for implementing the Government Performance Results Act (GPRA) in Region III. The ARA is the Region's Chief Financial Officer (CFO), Senior Resource Official (SRO), and Senior Information Resources Management Officer (SIRMO). OP&M is also responsible for the Equal Employment Opportunity (EEO) Program. OP&M consists of the Strategic Planning and Management Branch, Facilities Management and Services Branch, Computer Systems Branch, Information Management Branch, Office of the Comptroller, Human Resources Management Branch, Contracts Branch, Grants and Audit Management Branch, the EEO Manager, the Resource Management Officer and the Office of Information Resources Management. The Resource Management Officer is located in the Immediate Office of the ARA and assists the ARA in managing the CFO, SRO and SIRMO functions. The immediate office is responsible for all assigned Lead Region activities. The immediate office is also responsible for all functional activities related to Disadvantaged Business Enterprises including, Small Business Enterprises, Minority Business Enterprises, and Women-Owned Business Enterprises in the Region. The EEO Manager, under the direct supervision of the ARA coordinates and provides oversight to the implementation of the Civil Rights program that promulgates equal opportunity and nondiscrimination in EPA Region III; is directly responsible for the Region's EEO counseling program; coordinates with various parties in carrying out the internal discrimination complaint process; provides leadership and advice to all regional organizational elements respecting EEO; evaluates the effectiveness of the Region's total EEO Program; provides service to the ARA with respect to the EEO program; and provides leadership in intra-agency activities regarding EEO. Serves as Region III's Special Emphasis Program Manager. Develops and implements special human resource initiatives with potential for EEO implications as necessary. Consists of the Information Resources (IRM) Program Manager and a small staff under the direct supervision of the ARA. It is the principal program advisor in all policy, programmatic, regulatory and rule-making matters for the implementation of information management in Region III; formulates long-range plans, policies, goals, and targets for information management; analyzes, evaluates, and recommends region-wide programs based on regulation and policy, strategic planning objectives, advances in technology, and similar factors. OIRM is responsible for defining, coordinating, and integrating Agency and Regional information systems across functional, organizational, geographic, and media lines; for planning and reviewing requests for IRM budgets, costs, and utilization; for providing data management support to regional states to include data transfer, data communications support, data integration, and financial assistance for data management related activities; identifying sources of environmental information within the Region; analyzing and evaluating potential uses of environmental information by the public, other external groups, and the regulated community; and, the development of comprehensive plans and strategies for using state-of-the-art technology to meet the demands for this information. The IRM Program Manager serves as the Field Acquisition Officer for all information management procurement. The program manager also develops regional timesharing plans, operational budgets, and staffing plans.

10. **OFFICE OF REGIONAL COUNSEL.** The Office of the Regional Counsel (ORC) is a component of the Office of Enforcement and Compliance and Assurance in Headquarters. ORC, under the supervision of the Regional Counsel and Deputy Regional Counsel, is responsible for providing legal advice and services to the RA, the Region's programs and administrative staffs, as well as legal support to the Regional program managers and the Department of Justice in enforcement and defensive litigation matters.

ORC's Immediate Office consists of the Regional Counsel and Deputy Regional Counsel, who are responsible for the overall management and supervision of the Office (with the assistance of a Management Assistant, who serves as Legal Programs Coordinator); a Legal Instruments Examiner, who is responsible for assuring that quality casework is in EPA information systems; the Regional Judicial and Presiding Officer and Regional Hearing Clerk (supervised by the Deputy Regional Counsel), who are responsible for the conduct of administrative hearings and proceedings; the Associate Regional Counsel for Criminal Enforcement, who assigns and reviews the work of the Regional Criminal Enforcement Counsel in Region III (who are responsible for development and prosecution of criminal enforcement actions); a non-supervisory Associate Regional Counsel for Regulatory Enforcement, who is responsible primarily for the coordination of multimedia cases; a LAN Administrator and Assistant LAN Administrator to provide computer services to ORC and to the Criminal Investigation Division, an investigative unit in Headquarter's Office of Enforcement and Compliance Assurance.

In addition to the Immediate Office, ORC consists of seven Branches: four Site Remediation Branches in the Office of Site Remediation, headed by the Associate Regional Counsel for Site Remediation, provide legal services to the Hazardous Site Cleanup Division; the Air Branch provides legal services to the Air Protection Division; the Water and General Law Branch

provides legal support to the Water Protection Division and the Wetlands Protection Program in the Environmental Services Division; and the Waste and Chemical Law Branch, which provides legal services to the Waste and Chemical Management Division, that reports directly to the Regional Counsel. ORC also has an Ethics Practice Group and a Grants and Contracts Practice Group. The Practice Groups consist of attorneys assigned formally to various Branches with work similar in nature, coordinating and mentoring each other in their respective assignments.

11. **OFFICE OF ENVIRONMENTAL INNOVATION.** The Office of Environmental Innovation (OEI), under the supervision of the Director, and through the use of a multi-disciplinary team, will foster the development of innovative and more effective approaches to environmental protection across the Region, and prototype new tools and techniques for ecosystem and human health improvement. The team and other selected partners will assess the environmental conditions and sustainable characteristics of watersheds, communities, and ecosystems; identify the industrial and natural processes important to Region III and selected areas, and serve as a resource to Regional program offices on these processes.

OEI will consider complex issues such as, land use, sustainable development, habitat alteration, and waste minimization/pollution prevention, and prototype tools such as, partnerships, reinvention methods, Supplemental Environmental Projects (SEPs), Geographic Information Systems (GIS) and other state of the art computer/ data driven information sources to resolve these issues. The team will perform hands-on field environmental assessment and protection to advance all programs within Region III.

Specific functions of OEI include the following:

Serves as the Regional focal point for reinvention activities and the main point of contact with HQ's Office of Policy, Economics, and Innovation. Coordinates reinvention policy, represents Region III at HQ, and markets Regional efforts.

Coordinates and implements the Region's Pollution Prevention (P2) program, including P2 grants and strategies.

Leads and coordinates Regional efforts regarding non-regulatory approaches to environmental protection, including: Common Sense Initiative, XL and the Regulatory Innovation project, which are implemented by the individual program offices in Region III.

Analyzes and demonstrates possible approaches and solutions to complex environmental problems and issues as assigned by the Regional Administrator.

Serves as the first point of contact for businesses interested in non-regulatory approaches and pollution prevention. Operates the Region's Business Assistance Center (BAC).

Integrates Community Based Environmental Protection (CBEP) approaches with Office of Environmental Innovation activities throughout Region III. Maintains liaison with Canaan Valley Institute (CVI) and manages the CVI grant. Builds new partnerships especially, Non-Government Organization (NGO) Relationships. Acts as the focal point for the Mid-Atlantic Highlands Assessment (MAHA), the council and successor organization.

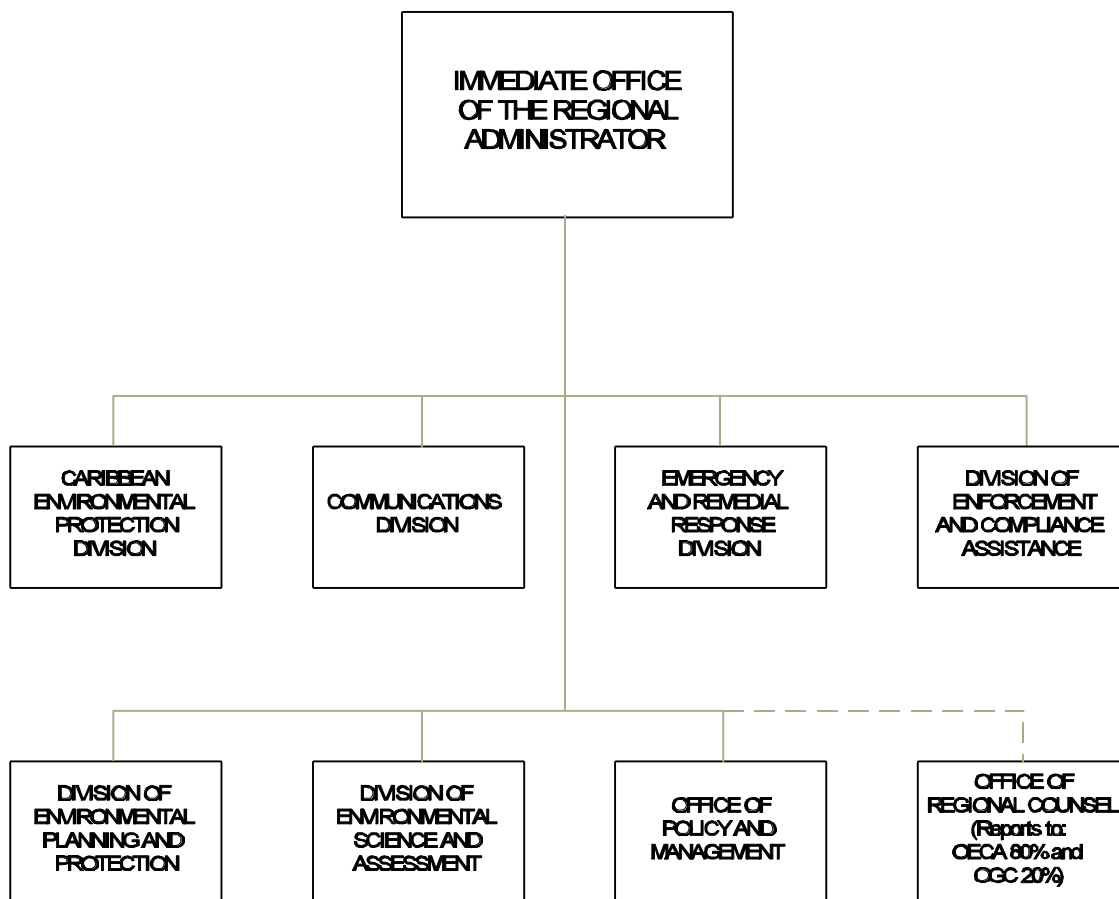
Coordinates with other divisions to develop and demonstrate new environmental and ecological approaches to traditional programs. Applies concepts used in watershed, community based, sustainable development, land use, wetlands, estuaries and Brownfields programs (for example), to advise and recommend new holistic approaches to traditional environmental protection programs.

Coordinates the National Environmental Performance Partnership System (NEPPS) program in Region III. Works with States in forming partnerships to strengthen the protection of public health and the environment by directing scarce public resources toward improving environmental results, allowing States greater flexibility to achieve those results, and enhancing accountability to the public for environmental results.

12. **WASTE AND CHEMICALS MANAGEMENT DIVISION.** The Waste and Chemicals Management Division (WCMD), under the supervision of the Division Director, is responsible for all managerial, administrative, and programmatic functions of the Resource Conservation and Recovery Act, the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos School Hazard Abatement Act (ASHAA), and Section 313 of the Emergency Preparedness and Community Right-to-Know Act (EPCRA) in Region III. WCMD makes recommendations to the Regional Administrator concerning goals, priorities, and objectives related to these Acts. WCMD makes project and enforcement decisions for EPA consistent with National and Regional delegation of authority. The Director meets his/her responsibilities with the cooperation and assistance of a senior management team that includes a supervisory Deputy Director, supervisory Associate Division Directors for Enforcement and RCRA Programs, and a Technical Support Branch Chief. The Director also utilizes a non-supervisory Team Leader position to assist in Administrative Support Team efforts. In addition to assisting the Division Director with program and enforcement management, the senior management team maintains a Division-level overview of individual state/EPA relationships. The WCMD is composed of the Immediate Office of the Director which includes an Administrative Support Team reporting to the Deputy Director, Offices of Enforcement and RCRA Programs, and a Technical Support Branch. The Enforcement Office is responsible for planning, coordinating and providing expertise for RCRA, UST/LUST, CAA-NESHAPS, TSCA, EPCRA, FIFRA, AHERA, and ASHAA compliance programs. The RCRA Programs Office is responsible for administering all requirements of the RCRA, HSWA, Underground Storage Tank/Leaking Underground Storage Tank (UST/LUST), and Solid Waste Programs, with the exception of related enforcement activities. The Technical Support Branch is responsible for providing overall technical support to the Division.
13. **WATER PROTECTION DIVISION.** The Water Protection Division (WPD), under the supervision of the Division Director and the Deputy Division Director, is responsible for the management and implementation of the Region's programs to protect, preserve and enhance water resources. WPD administers programs authorized by the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA). These programs include Water Quality Planning and Standards, Watershed Protection, Water Quality Compliance and Enforcement, the Non-Point Source (NPS) Program, Municipal Facilities Construction, Public Water Supply, and Ground Water Protection. WPD recommends to the Regional Administrator (RA) goals, priorities, objectives, and policies for these programs; assists states, localities, and interstate commissions in developing comprehensive environmental programs for achievement of environmental goals and standards; oversees delegation of programs to states and directs federal overview of delegated programs. WPD consists of three offices: the Office of Compliance and Enforcement, the Office of Watersheds, and the Office of Municipal Assistance.

REGION II
(New York, NY)

REGION II ORGANIZATIONAL CHART



REGION II FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR.** The Regional Administrator has primary responsibility to the Administrator for the planning, programming, implementation, control and direction of the technical, legal and administrative aspects of the Region 2 activities of the Environmental Protection Agency. Serves as the Administrator's principal representative in the Region with federal, state, interstate and local, industry, academic institutions and other public and private groups. Responsible for accomplishing national program objectives in the Region as established by the Administrator, Deputy Administrator, Assistant and Associate Administrators. Within the administrative and technical framework set up by these officials, develops, proposes and implements a Regional program for comprehensive and integrated environmental protection activities. Responsible for total resource management in the Region within guidelines provided by Headquarters. Responsible for translating technical program direction and evaluation provided by various Assistant and Associate Administrators into effective operating programs at the regional level and assuring that such programs are executed efficiently. Responsible for developing and implementing the regional environmental justice program. Exercises approval authority for proposed State standards and implementation plans and provides for overall and specific evaluations of Regional programs, both internal Agency and State activities. The Deputy Regional Administrator assists the Regional Administrator in the discharge of duties and responsibilities, serves as Deputy Ethics Official, and serves as acting Regional Administrator in the absence of the Regional Administrator.
2. **CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION.** Represents the Regional Administrator in the Commonwealth of Puerto Rico and the Territory of the Virgin Islands. Is responsible for liaison with the Commonwealth and Territorial Governments on matters concerning environmental problems requiring EPA action. Aids in communicating EPA program objectives to local government agencies and provides scientific and technical assistance in meeting these goals. Advises the Regional Administrator on all local environmental aspects of the Region's activities, including recommendations and suggestions on preventive and corrective measures to be taken by EPA. Provides guidance regarding relations with the press, radio, television, and the general public. In accord with guidance and direction provided by regional program divisions, provides support to the regional output commitments in air, water, pesticides, toxic substances, hazardous waste, emergency and remedial response, etc. Identifies local environmental problems and recommends pollution control measures. Oversees environmental program grants in the Commonwealth of Puerto Rico and the Territory of the Virgin Islands.
3. **COMMUNICATIONS DIVISION.** Responsible for the development, implementation and coordination of Public Affairs, Congressional and Intergovernmental Relations, and Public Outreach programs for Region 2. Represents the Region in contacts with the press, the public and elected officials. Advises the Regional Administrator on all external communications of the Region's activities. Oversees the preparation of speeches for the Regional Administrator and other written materials including articles for regional and headquarters publications, fact sheets and briefing materials. Coordinates the development of a regional Public Information Center, a regional homepage on the Internet and the dissemination of publications. Responsible for the regional product review system.
4. **EMERGENCY AND REMEDIAL RESPONSE DIVISION.** Responsible for the development, implementation and coordination of regional activities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Superfund Amendments and Reauthorization Act (SARA). Manages a comprehensive program for site evaluation, expedited response actions, immediate removals and long-term remedial actions, including cost recovery activities. Serves as the focal point for all emergency response and emergency contingency planning activities. Responsible for spill control and monitoring programs under Section 311 of the Clean Water Act, as amended by the Oil Pollution Act.
5. **DIVISION OF ENFORCEMENT AND COMPLIANCE ASSISTANCE.** Plans and implements a comprehensive regional program to ensure compliance with the full range of environmental statutes and regulations for the air, surface water, drinking water, ground water, solid and hazardous waste, UST/LUST, and pesticides and toxic substances programs, but not for the Superfund, oil spill prevention, emergency planning, wetlands, or ocean programs. Directs full range of programmatic as well

as compliance and enforcement activities for the pesticides, toxics, UIC, AHERA, and UST/LUST programs, including recommendation of grant awards under these programs to the Regional Administrator. Directs programmatic as well as compliance and enforcement activities for the NPDES permit issuance and Construction Grants/SRF programs in Puerto Rico and the U.S. Virgin Islands. Ensures close coordination and communication with the Director, DEPP, with regard to key inter-divisional processes and functions and with the Director, CEPD, with regard to actions taken in the Caribbean. Negotiates compliance and enforcement elements of joint EPA/State strategic plans and state grant workplans/partnership agreements across all media, ensuring participation in strategic planning process of DEPP. Negotiates annual Memorandum of Agreement with HQ OECA and State/EPA Enforcement Agreements, in coordination with Office of Regional Counsel. Manages a comprehensive compliance assurance program under all environmental statutes, including inspections, evaluations of compliance, determinations of appropriate enforcement responses to violations, development/issuance/settlement of administrative enforcement actions, technical support for criminal enforcement, and Federal Facility compliance. Ensures that compliance strategies are multi-media wherever possible and that environmental justice objectives are addressed. Ensures that integrated compliance assistance is targeted and delivered to promote responsible environmental behavior and prevent pollution. Ensures enforceability of many regional actions including state delegations, permits, and State Implementation Plans. Integrates asbestos activities under both Clean Air Act and AHERA. Maintains close communication and coordination with state compliance and enforcement programs and other key stakeholders.

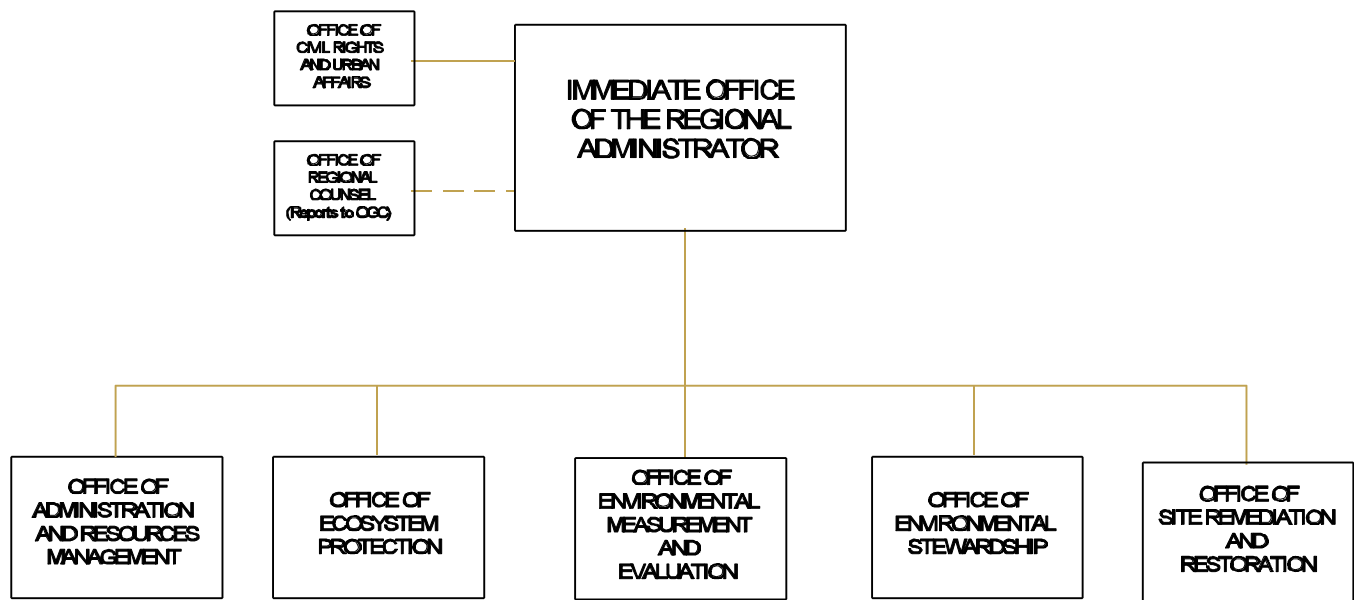
6. **DIVISION OF ENVIRONMENTAL PLANNING AND PROTECTION.** Responsible for developing, and coordinating the implementation of, joint EPA/State/Tribal multi-media strategic plans; recommending the award of program grants to states and tribes to support implementation of the joint strategic plans; conducting environmental reviews in compliance with the National Environmental Policy Act; developing and coordinating the implementation of locality-specific plans to achieve environmental goals and objectives; working with the states to implement state air pollution control planning and permitting programs under the Clean Air Act (CAA); working with the states and with the United States Army Corps of Engineers to implement water pollution control planning and permitting programs under the Clean Water Act (CWA); working with the states to develop and implement comprehensive ground water management programs; managing the Clean Water Act construction grants program, coastal cities grants program, and State Revolving Fund loan program; designating and managing ocean disposal sites, and ensuring that disposal activities comply with the provisions of the Marine Protection Research and Sanctuaries Act; working with the states to ensure an adequate and safe supply of drinking water in accordance with the Safe Drinking Water Act; working with the states to develop and manage the hazardous waste storage, treatment and disposal permitting and corrective action programs under Subtitle C of the Resource Conservation and Recovery Act; assisting the states in implementing solid waste programs under Subtitle D of the Resource Conservation and Recovery Act; and minimizing exposure to radioactive materials and indoor air pollutants through oversight of radioactive waste clean-up and disposal methods, enforcement or radionuclide emissions standards, and public outreach.
7. **DIVISION OF ENVIRONMENTAL SCIENCE AND ASSESSMENT.** Responsible for collecting environmental samples, analyzing collected samples and evaluating the resulting data in support of regional and national compliance monitoring programs and ambient monitoring programs. Implements the regional Quality Assurance Program Plan. Directs special studies, investigations and surveys to support regional enforcement actions or define environmental quality problems. Provides advice and assistance to states, local and tribal governments, provides oversight of funded programs in monitoring, analytical testing, quality assurance, and PWSS laboratory certification. Provides advice to the Regional Administrator and Deputy Administrator on matters concerning the Agency's scientific programs, problems or other issues, Office of Research and Development (ORD) interaction with the region on issues such as peer review, and provides a liaison with the scientific community in academia and other Federal Agencies with respect to research and other science issues.
8. **OFFICE OF POLICY AND MANAGEMENT.** Responsible for ensuring the accomplishment of the policy making and managerial phases of the Regional Administrator's overall responsibility. The Assistant Regional Administrator for Policy and Management serves as the Region's Chief Financial Officer and Senior Resource Official, responsible for the integrity of the Region's financial and contracts management programs, and serves as the Senior Information Resources Management Official (SIRMO). The Office of Policy and Management is responsible for providing policy coordination and analytical support across regional programs, and for coordination with agency-level efforts such as EPA's 5-Year Strategic Plan and the National Environmental Goals Project; implementing regional accountability and reporting under the Government Performance and

Results Act (GPRA); ensuring that management, organization, and decision-making processes function efficiently; coordinating cross-divisional programs such as public-private partnerships, data integration, and geographic information systems. Responsible for Federal Managers' Financial Integrity Act (FMFIA) implementation throughout the Region; conducts reviews and analyses to ensure effective internal controls are in place. Responsible for assuring efficient and effective management of resources in order to accomplish Regional objectives. Coordinates Region 2's lead region functions. Responsible for providing various functions of the Office, including policy and program coordination; integrated planning and budgeting with linkages to agency-level policy issues involving states and program grants; grants administration; contracts management; audit management; financial management; information systems; human resources management; equal employment opportunity; total quality and customer service coordination; health and safety; and facilities management.

9. **OFFICE OF REGIONAL COUNSEL.** Responsible for the development, implementation and coordination of all regional legal activities. These include coordination and conduct of enforcement and defensive litigation, legal aspects of the Region's financial assistance activities including grant appeals and bid protests, review for legal sufficiency of many Regional actions such as State delegations, permit actions, Federal Register notices, etc., and various other regional actions and activities which raise legal questions, interpretation of Agency guidance, regulations and statutes, and coordination of legal and enforcement activities with State and local governments. The Regional Counsel acts as Deputy Ethics Official. ORC responsibilities also include the functions of the Regional Hearing Clerk and attorneys who serve as regional Presiding Officers.

REGION I
(Boston, MA)

REGION I ORGANIZATIONAL CHART



REGION I FUNCTIONAL STATEMENT

1. IMMEDIATE OFFICE OF THE REGIONAL ADMINISTRATOR. The Regional Administrator's Office represents national environmental concerns, policies and programs within EPA-New England. It advises the Administrator/Deputy Administrator on program issues within the region, provides a regional perspective on national policy issues, and makes decisions in delegated areas of responsibility.

The RA's Office manages the region's resources to ensure effective use and development of personnel, high productivity, cost-efficient operations and support of the Agency's EEO and environmental justice goals. The Office manages intergovernmental activities by working closely with state, tribal and local governments to attain national, regional, state, tribal and local goals.

It translates national policy into programs which meet regional needs, makes decisions, and manages programs in partnership with state environmental agencies and tribal governments to meet annual Agency initiatives, ongoing program goals and the Administrator's goal of managing for environmental results.

This office does not have a traditional deputy nor does it have an Office of External Programs as in its prior organization. Instead, the functions of the traditional deputy and external program activities are divided and expanded between a Senior Advisor for Management/Assistant Regional Administrator (ARA) and the Senior Advisor for Policy.

- a. OFFICE OF REGIONAL COUNSEL. The Office of Regional Counsel (ORC), a career SES position, a "full service" legal counseling office, serves EPA-New England's Regional Administrator and its program and support offices with responsibility for all media counseling as well as for general law matters (e.g., ethics, personnel).

The Regional Counsel will direct and manage the Office, serving as chief legal officer for the region. The Regional Counsel will have primary responsibility for all legal counseling work generated in the regional office.

The Regional Counsel will have a dual reporting relationship to the General Counsel in EPA-Washington and Regional Administrator. He/she will determine annual counseling priorities, consulting with the Regional Administrator and the region's office directors.

The ORC will be comprised of a core staff supported by the counseling resources allocated by OGC and supplemented as necessary by additional FTE from other offices in the region.

- b. OFFICE OF CIVIL RIGHTS AND URBAN AFFAIRS. The Office of Civil Rights (OCR) and Urban Affairs, under the supervision of a director, serves as the principal advisor to the Regional Administrator with respect to EPA's internal and external equal employment opportunity and civil rights program policies and the impact of the regional programs on minorities and women.

All functions and responsibilities of the director of OCR are regionwide and apply to the provisions of leadership, services and advice in all of the programs and activities of the region to ensure equal opportunity and prohibit discrimination in employment in EPA in accordance with applicable Civil Rights Act, Executive Orders, and implementing directives.

The OCR ensures the implementation of the region's special emphasis programs, the purposes of which are to address the concerns, needs, and aspirations of blacks, Hispanics, Asians, and women, and to coordinate outreach and recruitment programs to enhance the employment and retention of blacks, Hispanics, Asians, Indians, handicapped, and women.

In accordance with Title VI of the Civil Rights Act of 1964 and other legislation, the OCR assures that recipients of EPA financial assistance do not discriminate on the basis of race, color, national origin, sex, age

or physical handicap pursuant to the Act.

It manages the regional Discrimination Complaints Program pursuant to established laws statutes and guidelines including the selection and training of EEO Counselors. It advises the Regional Administrator on the agency's policies, programs and goals to designated constituency groups, particularly in low-income urban and minority communities, and works with and communicates these policies programs and goals. It oversees and coordinates the staff functions of the Small and Disadvantaged Business Utilization programs to assure implementation of existing mandates.

In accordance with the Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations," the OCR is responsible for ensuring that EPA-New England's programs policies and procedures are conducted in a manner that promotes the equitable protection of human health and the environment.

To this end, the OCR's daily functions include acting as liaison between headquarters and the region; providing assistance to EPA-New England staff on environmental justice; and administering the Environmental Justice Grant Programs with the primary purpose of providing assistance to community groups and tribal governments for projects that address environmental justice.

- c. Government Relations Team. This team reports to the Senior Advisor for Policy. The functions of this team are the following: promotes a good working relationship between the EPA regional office and key elected officials; acts as the Regional Administrator's principal advisor on congressional relations; acts as an ombudsman-advocate within EPA for the problems and interests of state and local government; provides timely and accurate responses to inquiries; conducts an outreach program designed to inform key public officials of significant developments; assists in developing intergovernmental strategies for critical EPA issues and programs; advises the Regional Administrator and appropriate headquarters staff offices of significant intergovernmental issues; and participates in regional intergovernmental activities.
- d. National Environmental Policy Act (NEPA) Team. This team reports to the Senior Advisor for Policy. The functions of this team are the following: reviews Environmental Impact Statements (EIS's) and other federal actions as required by NEPA and Section 309 of the Clean Air Act; assists other state and federal agencies in scoping EIS's; coordinates the technical review of Draft and Final EIS's by program offices develops the region's position on other agencies EIS's and actions; prepares comment letters; and assists headquarters in the review of national EIS's regulations and programs.
- e. Public Affairs Team. This team reports to the Senior Advisor for Policy. The functions of this team are the following: provides public affairs assistance and guidance to the organization; represents the Regional Administrator in relations with electronic and print media; prepares press releases, fact sheets, regional publications, press briefing documents, policy statements and supporting materials; maintains channels of communication between the Regional Administrator, the program offices and the public; carries out environmental education programs, special events and awards programs; and coordinates the Speakers Bureau.
- f. Superfund Community Relations Team. This team reports to the Senior Advisor for Policy. The functions of this team are the following: manages a community relations program in support of the national Superfund program; provides direction and implementation assistance to ensure that Region I meets the public information and involvement requirements of the Superfund law and the NCP; assigns and oversees contractor community relations work; and acts as liaison between EPA and the Superfund site community.

- 2. OFFICE OF ADMINISTRATION AND RESOURCE MANAGEMENT. The Director's Office is responsible for the leadership, support, communications and direction necessary to ensure efficient operations and a productive work environment in the Division, and provides management advice, services, and support to the Regional Administrator and to all components of the regional office.

The Human Resources Manager; Grants Management Manager, Contracts and Procurement Manager, Information Resources Manager, Computing Technology Manager, Finances and Cost Recovery Manager, Budget & Planning Coordination Manager, and Associate Director all report to the Office Director, who reports to the Regional Administrator.

The Director serves as the Senior Resource Official (SRO) for the region, ensuring that appropriate and effective systems, procedures, control, communication and outreach are in place for accountable fiscal resource management, performing review and approval functions for resource management documents in accordance with federal and Agency requirements, and advising the Agency CFO on resources management issues.

A Facility Team, reporting to the Director, provides a full range of both administrative and technical services in support of the region, including space management and design; security and credentials; internal move coordination; systems furniture design; printing and reproduction; audio visual support; mail and courier management.

The Office also provides management of the region's Safety, Health and Environmental Management program, which includes a Center of Excellence with responsibility for providing nationwide expertise in the area of chemical risk assessment.

The Office provide: human resources development and personnel management; financial management; budget formulation, coordination and execution; state assistance management; management and coordination of information services, including data processing, hardware and software service and support, user assistance, security, telecommunications and library services, facilities and space management; contracts and procurement, safety, health and environmental management; and a variety of other support services.

It encourages effective communication within the regional office, with the states, and within EPA nationally, to aid in the provision of timely, necessary and effective management systems and services.

3. OFFICE OF ECOSYSTEM PROTECTION. The Director serves under the Regional Administrator and is responsible for management of the division, including:

Multi-media state program units to assist states, tribes and communities to develop and carry out strategic, integrated programs.

Program units to provide technical expertise to the states, tribes and others, as identified by the Office's state units, and to implement federal programs as required by each program's mandate.

Strategic planning unit that integrates input from the Regional Administrator's initiatives, all offices in the region, and the region's state partners and external stakeholders. This unit will also be responsible for managing the joint goal setting process with the states.

Associate Directors serve as staff to the Director, function as policy experts to ensure consistent interpretation and application of federal requirements by state units, and act as the primary points of contact with external stakeholders, including headquarters. There are four (4) Associate Directors for the following: Air Policy, Waste Policy, Water Quality Policy, and Groundwater and Water Supply Policy.

In addition the Associate Directors will:

Set goals and targets for what the region hopes to accomplish based on state grant commitments, facility-specific action plans, and long-term regional program plans.

Plan how the region will accomplish these goals.

Monitor staff utilization for conformance with program direction and priorities.

Align goals, investments, disinvestments, and priorities with regional priorities, national program guidelines, and customer

input.

Serve as point of contact for the headquarters Assistant Administrator.

Periodically check on status of planned events and Outputs.

Facilitate accomplishment of planned results by adjusting resource allocations, elevating issues, making policy decisions or via other means as appropriate.

Design and modify systems to track projected and accomplished results.

Allocate and negotiate FTEs to organizational units.

Allocate and negotiate AC & C resources.

Establish priorities for support requests to other offices (e.g., attorney support, laboratory support).

Coordinate with other EPA-New England Offices [e.g., Office of Environmental Stewardship, Office of Site Remediation and Restoration (OSRR)] on program, resources, and administrative issues.

Coordinate with state and interstate organizations (e.g., NEWMOA, OTC).

Distribute national policy documentation and guidance, and interpret regional policy accordingly.

Give policy related direction for facility-specific case decisions, particularly involving multiple statutes and/or offices.

Establish mechanisms such as management reviews to raise policy related or cross-cutting facility-specific issues.

Establish regional policy through facility-specific decisions, communication of facility-specific decisions, or written memos when appropriate.

Encourage the communication among staff regarding relevant national policy information received by managers or staff via conference calls and national meetings.

Serve as sponsor, leader, or coordinator for selected initiatives such as the watershed approach.

Listen and communicate with external groups (e.g., interstate organizations, regulated communities) for relevant program areas and initiatives.

Explain program and EPA activities to the public.

Support tribal programs and tribes.

4. **OFFICE OF ENVIRONMENTAL MEASUREMENT AND EVALUATION.** The Office of the Director is responsible for managing the collection, analysis and validation of environmental quality data in supporting tribal, regional and national monitoring requirements. It is also responsible for source monitoring in the air, water, toxics and hazardous materials programs. The Deputy Office Director, Quality Assurance Manager, Ecosystem Assessment Manager, Investigations and Analysis Manager, and Facilities Team Leader report to the Office Director, who reports to the Regional Administrator.

The Office has primary responsibilities for designing and interpreting environmental indicators, ambient monitoring data, quality assurance of environmental data and data analysis and reporting. It serves as the lead for coordinating with the Office of Research and Development (ORD) and with the National Enforcement Investigations Center (NEIC) on technical issues.

It oversees the health, safety and environmental compliance programs in cooperation with the regional health and safety Officer. It also directs the three organizational units of Quality Assurance, Ecosystem Assessment and Investigations and Analysis.

5. OFFICE OF ENVIRONMENTAL STEWARDSHIP. Through a 60/40 reporting relationship with OECA and the Regional Administrator, the Office Director is responsible for the functions of this Office. The Director is responsible for providing the following for the Office:

Leadership and communications.

Setting strategic direction.

Encouraging innovation and improvement.

Facilitating and coordinating the work of the various units in the Office.

Evaluating the success of the Office in contributing to the mission of the Agency.

Key areas of responsibility of the Office of the Director include:

Balancing and integrating the enforcement and assistance functions of the Office.

External relations.

Communication within EPA including headquarters.

State relations.

Goal-setting and success measurement.

Budget development, resource allocation, and operational planning.

Administrative management systems support for the Office, which includes overseeing and managing the Office's budget (i.e., FTE, AC&C, training, travel, contracts, etc.); tracking and assigning FOIA responses; providing training and health and safety coordination; managing human resources; facilities; inreach; and outreach.

The Office of the Director consists of the Director and a Deputy Director. The Planning and Evaluation Unit Manager, Assistance and Pollution Prevention Unit Manager, Enforcement Managers and Teams Coordinator report directly to the Stewardship Office Director.

6. OFFICE OF SITE REMEDIATION AND RESTORATION. The Director's office recommends to the Regional Administrator goals, objectives, and priorities for the regional hazardous waste management program, under the authority of the Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Amendments (HSWA) (for the Underground Storage Tank and corrective action only); Oil Pollution Act (OPA); and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, a.k.a. Superfund) as amended by the Superfund Amendments and Reauthorization Act (SARA).

The Deputy Office Director, Associate Directors, Facilities Team Leader, Brownfields Team Leader, Emergency Planning and Response Unit Manager, Remediation and Restoration I Unit Manager, Remediation and Restoration II Manager and Technical and Support Unit Manager report to the Office Director. This Office oversees four organizational groups and includes a Facilities Team which will manage and coordinate the various activities with respect to equipment and building space. The four groups are as follows:

Emergency Planning and Response will have responsibility for Superfund emergency response and OPA activities.

Remediation and Restoration 1 will have responsibility for UST/LUST program activities throughout the region, and for the Superfund remedial program in Massachusetts, New Hampshire and Rhode Island.

Remediation and Restoration 2 will have responsibility for the RCRA Corrective Action program, as well as the Superfund remedial program in Maine, Vermont, and Connecticut, the Federal Facilities Superfund program and the Raymark Team.

Technical and Support will have responsibility for all the Superfund support programs, including contracts, technical, cost recovery and enforcement support, as well as the Superfund site assessment program.

Interagency support is provided by representatives assigned by other federal agencies to the Office to advise the Office Director and that individual's staff on Superfund matters of mutual interest like the National Oceanic and Atmospheric Administration (NOAA), the Agency for Toxic Substances and Disease Registry (ATSDR), and U.S. Army Corps of Engineers (USACE).

This Office plans program directives and manages and tracks both intramural and extramural resources within the Office as a whole. It manages all Office human resource activities, including training, and monitors compliance with equal employment and affirmative action requirements. It also manages the Office health and safety program and plans and executes facility and work environment needs.

June 10, 2004

MEMORANDUM

SUBJECT: Temporary Delegation of Authority for the Agency's Functions and Responsibilities Under the Pesticide Registration Improvement Act

TO: Assistant Administrator
Office of Prevention, Pesticides and Toxic Substances

You are hereby delegated the authority to carry out all functions and responsibilities related to the implementation of the Pesticide Registration Improvement Act (PRIA). These activities include establishing a registration service fee system for applications for specified pesticide registration, amended registration, and associated tolerance actions; determining how best to meet the decision time review periods specified in PRIA; issuing decisions on requests to waive/reduce or refund registration service fees; identifying the appropriate registration application fee category for registration applications; renegotiating the decision time review periods; making decisions about the implementation of the new Pesticide Registration Fund established by PRIA, into which fees are paid and from which fees are disbursed to provide enhanced registration services; and developing steps necessary to implement the provisions related to auditing, accountability, and reporting that are contained in the PRIA.

This Temporary Delegation of Authority will remain in effect for one year from the date of approval, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act.

Any one or more of the functions and responsibilities under this Temporary Delegation of Authority may be redelegated to the Office of Pesticide Programs. Any such redelegation is subject to the same timeframe and limitations.

/s/

Michael O. Leavitt




E. SCOTT PRUITT
ADMINISTRATOR

May 16, 2017

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Respond to a Petition for Rulemaking under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Washington

FROM: E. Scott Pruitt 

TO: Michael H. Shapiro, Acting Assistant Administrator
Office of Water

I hereby delegate to the acting assistant administrator for the U.S. Environmental Protection Agency's Office of Water the authority to sign the EPA's decision responding to the October 28, 2013, petition submitted by the Northwest Environmental Advocates requesting that the agency establish new and revised water quality standards for human health and aquatic life protection via federal rulemaking in Washington.

1. **AUTHORITY.** To sign the agency's decision responding to the October 28, 2013, petition submitted by the Northwest Environmental Advocates. Sections 553(e) and 555(b) of the Administrative Procedure Act provide that federal agencies may be petitioned for rulemaking and that agencies must respond to petitions "within a reasonable time."
2. **TO WHOM DELEGATED.** The Office of Water acting assistant administrator.
3. **LIMITATIONS.** This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.** None.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 27 2017

OFFICE OF WATER

MEMORANDUM

SUBJECT: Request for One-time Delegation of Authority for the Purpose of Responding to a Petition for Rulemaking Under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Washington

FROM: Michael H. Shapiro *Michael Shapiro*
Acting Assistant Administrator

TO: Cheri M. Hembrey, Director
Program Management and Communications Staff
Office of Human Resources

ISSUE

The purpose of this memorandum is to request a one-time delegation of authority to the Acting Assistant Administrator for the Office of Water to respond to a Petition for Rulemaking under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Washington. The Office of Water believes that a delegation of signature authority to the Acting Assistant Administrator is appropriate given the nature and timing of this decision.

TIME SENSITIVITY

Under current court scheduling, the EPA must answer the Northwest Environmental Advocates (NWEA) unreasonable delay suit on June 27, 2017. If the EPA is able to issue a timely response to the underlying administrative petition, it will be able to conserve limited resources and avoid potential discovery, briefs and attorneys' fees associated with NWEA's unreasonable delay suit.

BACKGROUND

On October 28, 2013, NWEA filed a petition requesting that the EPA establish new and revised water quality standards (WQS) for toxic pollutants to protect human health and aquatic life in Washington. NWEA supplemented its petition with letters dated August 31, 2015, February 9, 2016, and February 21, 2017. Also on February 21, 2017, NWEA filed an unreasonable delay suit against the Agency in the Western District of Washington. *Northwest Environmental Advocates v. EPA*, No. 2:17-cv-00263 (W.D.Wash.). Sections 553(c) and 555(b) of the Administrative Procedure Act provide that federal agencies may be petitioned for rulemaking and that agencies must respond to petitions "within a reasonable time".

On May 4, 2016, the EPA sent an interim response to NWEA's 2013 petition, explaining that the Agency was in the midst of working with Washington on updates to the state's water quality toxics criteria for human health. With respect to aquatic life, the EPA noted that it expected Washington to turn to aquatic life criteria after it completed its work on human health criteria.

On November 15, 2016, the Administrator signed a notice of final rulemaking promulgating 144 human health criteria for Washington waters, and the EPA took action to approve in part and disapprove in part Washington's August 1, 2016, submission of revised human health criteria (45 approved, 143 disapproved). In its review of Washington's criteria submittal, the EPA disapproved the state's arsenic criteria, but took no action on the state's criteria for thallium and dioxin. The EPA's final rule did not include criteria for thallium, dioxin, and arsenic, due to scientific uncertainties regarding the underlying input variables for those pollutants.

NWEA's February 21, 2017, complaint cites three substantive issues: 1) the EPA did not promulgate human health criteria for the full suite of pollutants that NWEA requested in the original petition (because the EPA's final rule for Washington did not include human health criteria for arsenic, dioxin or thallium); 2) Washington has not yet adopted revised aquatic life criteria since the date of NWEA's petition; and, 3) the EPA's promulgation and approval of human health criteria for Washington in 2016 did not fully address NWEA's petition for revised aquatic life criteria, because in some cases, the CWA section 304(a) EPA recommended aquatic life criterion for a particular pollutant is more stringent than the EPA recommended human health criteria. The complaint asks the court to order the EPA to respond to NWEA's petition within 30 days of the date of the court's order and award NWEA attorneys' fees.

OW and Region 10 program staff have carefully considered NWEA's petition and have prepared a draft response. The programs are planning to deny the petition, in light of Washington's recent efforts to develop and adopt other WQS and in recognition of Washington's discretion to set priorities for its criteria development work. In its draft response, the programs have also noted the EPA's discretion to allocate its resources in a manner that supports targeted regional and state activities to accomplish the mutual goals of developing and adopting human health criteria for the three pollutants in question and revised aquatic life criteria.

BASIS FOR REQUESTING DELEGATION OF AUTHORITY

This one-time delegation of authority is necessary and appropriate here for two reasons. First, this action is state-specific and is not significantly precedential. Second, in part due to the time-sensitive nature of this action, we believe that a delegation of signature authority is an efficient use of Agency resources.

We coordinated preparation of this request with EPA Region 10 and with the Office of General Counsel. If you have any questions about this delegation request, please do not hesitate to call me.

Attachment:

Delegation from Administrator to Acting Assistant Administrator

cc. Michelle Pirzadeh, Acting Regional Administrator, Region 10




E. SCOTT PRUITT
ADMINISTRATOR

May 16, 2017

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Respond to a Petition for Rulemaking under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Florida

FROM: E. Scott Pruitt 

TO: Michael H. Shapiro, Acting Assistant Administrator
Office of Water

I hereby delegate to the acting assistant administrator for the U.S. Environmental Protection Agency's Office of Water the authority to sign the EPA's decision responding to the June 18, 2009, petition submitted by the Florida Clean Water Network requesting that the agency establish new and revised water quality standards for human health protection via federal rulemaking in Florida.

1. **AUTHORITY.** To sign the agency's decision responding to the June 18, 2009, petition submitted by the Florida Clean Water Network. Sections 553(e) and 555(b) of the Administrative Procedure Act provide that federal agencies may be petitioned for rulemaking and that agencies must respond to petitions "within a reasonable time."
2. **TO WHOM DELEGATED.** The Office of Water acting assistant administrator.
3. **LIMITATIONS.** This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act.
4. **REDELGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.** None.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 27 2017

OFFICE OF WATER

MEMORANDUM

SUBJECT: Request for One-time Delegation of Authority for the Purpose of Responding to a Petition for Rulemaking Under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Florida

FROM: Michael H. Shapiro *Michael H. Shapiro*
Acting Assistant Administrator

TO: Cheri M. Hembrey, Director
Program Management and Communications Staff
Office of Human Resources

ISSUE

The purpose of this memorandum is to request a one-time delegation of authority to the Acting Assistant Administrator for the Office of Water to respond to a Petition for Rulemaking under the Clean Water Act to Update the Water Quality Criteria for Toxics in the State of Florida.

TIME SENSITIVITY

The Office of Water believes that a delegation of signature authority to the Acting Assistant Administrator is appropriate given the nature and timing of this decision. If the EPA is able to issue a response by May 26, 2017 it will be able to conserve limited resources and avoid potential discovery, briefs and attorneys' fees associated with the Florida Clean Water Network (FLCWN) unreasonable delay suit. In particular, if the EPA does not issue a response by May 26th, the EPA would be required to file an administrative record by May 30, 2017 and plaintiff may file a dispositive motion as early as June 9, 2017.

BACKGROUND

On June 18, 2009, David Ludder on behalf of the FLCWN filed a petition requesting that the EPA establish new and revised water quality standards (WQS) for toxic pollutants to protect human health in Florida. Mr. Ludder discussed the petition with the EPA several times since 2009 and had generally accepted the EPA's explanation that it was not responding to the petition because the Florida Department of Environmental Protection (FDEP) was making acceptable progress towards revising its human health criteria.

On December 28, 2016, FLCWN filed an unreasonable delay suit against the Agency. Sections 553(e) and 555(b) of the Administrative Procedure Act provide that federal agencies may be petitioned for rulemaking and that agencies must respond to petitions "within a reasonable time". The EPA received a stay of the litigation until May 26, 2017 to provide an opportunity to take a final agency action on the petition and avoid unnecessary litigation.

Since 2009, FDEP has spent considerable resources developing revised human health criteria. In 2012-2013, FDEP developed and proposed revised criteria, which were presented to the state Environmental Regulation Committee (ERC) in 2013. The ERC had questions about the technical approach used by FDEP and sent the proposed revisions back to the agency for further consideration. In 2016, FDEP adopted new and revised criteria, which took effect for state law purposes in October 2016. The EPA worked closely with FDEP, providing both technical and programmatic guidance for the development of the criteria. Several administrative challenges were filed, which the state administrative law judge dismissed as untimely. That dismissal was appealed to state court where it is still pending. FDEP has indicated that they will await a decision in the court proceedings before submitting the criteria to the EPA for review under Clean Water Act (CWA) section 303(c)(3).

OW and Region 4 program staff have carefully considered FLCWN's petition and have prepared a draft response. The programs are planning to deny the petition, in light of Florida's significant progress to develop and adopt revised human health criteria that will be submitted to the EPA in the near future. In its draft response, the programs have also noted the EPA's discretion to allocate its resources in a manner that supports targeted regional and state activities to accomplish the mutual goals of developing and adopting protective human health criteria.

BASIS FOR REQUESTING DELEGATION OF SIGNATURE AUTHORITY

This one-time delegation of authority is necessary and appropriate here for two reasons. First, this action is state-specific and is not significantly precedential. Second, in part due to the time-sensitive nature of this action, we believe that a delegation of signature authority is an efficient use of Agency resources.

We have coordinated preparation of this request with EPA Region 4 and with the Office of General Counsel. If you have any questions about this delegation request, please do not hesitate to call me.

Attachment:

Delegation from Administrator to Acting Assistant Administrator

cc. V. Anne Heard, Acting Regional Administrator, Region 4



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

NOV 23 2015

MEMORANDUM

SUBJECT: Request for Temporary Delegation of Authority for the Office of Water
Acting Deputy Assistant Administrator to Perform All Duties Delegated
to the Office of Water Assistant Administrator

FROM: Gina McCarthy

A handwritten signature in blue ink, appearing to read "Gina McCarthy", is written over the name.

TO: Joel Beauvais, Acting Deputy Assistant Administrator
Office of Water

I hereby grant temporary authority to you in your capacity as the acting non-career deputy assistant administrator for the Office of Water to take necessary action in performance of all functions and duties previously delegated to the non-career deputy assistant administrator for the Office of Water in an August 1, 2014, memorandum.

This grant of authority remains in effect in your current capacity until you begin service in the position of non-career deputy assistant administrator for the Office of Water on a non-acting basis.

I retain the authority to revoke this grant of temporary authority at any time.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 24 2014

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Issue Exceptions and Publish Exception Requests Pursuant to Section 436 of P.L. 113-76, Consolidated Appropriations Act of 2014, Relating to the Use of American Iron and Steel

FROM: Gina McCarthy

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over the "FROM:" line.

TO: Nancy K. Stoner, Acting Assistant Administrator

I hereby delegate to the U.S. Environmental Protection Agency's assistant administrator for the Office of Water the authority to issue exceptions and publish exception requests pursuant to Section 436, Use of American Iron and Steel, provisions of the Consolidated Appropriations Act of 2014, P.L. 113-76, dated January 17, 2014.

Temporary Delegation of Authority to issue exceptions and publish exception requests pursuant to Section 436 of P.L. 113-76, Consolidated Appropriations Act of 2014.

1. AUTHORITY.

To issue exceptions to any state Clean Water State Revolving Fund or Drinking Water State Revolving Fund under Section 426 of P.L. 113-76, Consolidated Appropriations Act of 2014, and to publish exception requests.

2. TO WHOM DELEGATED.

The authority is delegated to the assistant administrator for the Office of Water.

3. LIMITATIONS.

None.

4. REDELEGATION.

The authority may be redelegated to the division-director level and no further. An official who redelegates authority is not divested of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest of delegated authority. An official who redelegates authority may revoke such redelegation at any time.

5. ADDITIONAL REFERENCES.

Section 436 of P.L. 113-765, Consolidated Appropriations Act of 2014.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG - 1 2014

MEMORANDUM

SUBJECT: Request for Temporary Delegation of Authority for the Office of Water Deputy Assistant Administrator to Perform All Duties Delegated to the OW Assistant Administrator

FROM: Gina McCarthy 

TO: Nancy Stoner, Deputy Assistant Administrator
Office of Water

I hereby grant temporary authority to you in your capacity as the non-career deputy assistant administrator for the Office of Water to take necessary action in performance of all functions and duties previously delegated to the OW assistant administrator in the U.S. Environmental Protection Agency's Delegations Manual that could have been redelegated to a subordinate official in OW. In the event that another EPA official becomes the non-career OW deputy assistant administrator (in a non-acting capacity) prior to the expiration of this temporary delegation, this temporary delegation continues in effect for the position of OW non-career deputy assistant administrator.

Temporary Delegation of Authority for the Office of Water Deputy Assistant Administrator to Perform All Duties Delegated to the OW Assistant Administrator.

1. AUTHORITY. To take necessary action in performance of all functions and duties previously delegated to the OW assistant administrator in the EPA's Delegations Manual that could have been redelegated to an OW subordinate official. The non-career deputy assistant administrator is also designated as the responsible official when a limitation in the Delegations Manual requires other agency offices or regions to consult, coordinate with, or obtain the approval or concurrence of the OW assistant administrator before taking action.

2. TO WHOM DELEGATED. Deputy assistant administrator for the Office of Water (non-career).

3. LIMITATIONS.

This temporary delegation of authority is limited to the purposes stated above and will remain in effect until the President appoints a nominee for the position of assistant administrator after Senate confirmation (upon advice and consent) or makes a recess appointment to fill the vacant position. It does not supersede or alter any previous re-delegations of authority made by the OW assistant administrator.

4. REDELEGATION AUTHORITY. The non-career deputy assistant administrator may redelegate authority consistent with EPA's Delegations Manual. Such a redelegation would not divest the non-

career deputy assistant administrator of the power to exercise that authority, which the non-career deputy administrator or the Administrator may revoke at any time.

5. REFERENCES. None.

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THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG - 1 2014

MEMORANDUM

SUBJECT: Request for Temporary Delegation of Authority for the Office of Water Deputy Assistant Administrator to Perform All Duties Delegated to the OW Assistant Administrator

FROM: Gina McCarthy 

TO: Nancy Stoner, Deputy Assistant Administrator
Office of Water

I hereby grant temporary authority to you in your capacity as the non-career deputy assistant administrator for the Office of Water to take necessary action in performance of all functions and duties previously delegated to the OW assistant administrator in the U.S. Environmental Protection Agency's Delegations Manual that could have been redelegated to a subordinate official in OW. In the event that another EPA official becomes the non-career OW deputy assistant administrator (in a non-acting capacity) prior to the expiration of this temporary delegation, this temporary delegation continues in effect for the position of OW non-career deputy assistant administrator.

Temporary Delegation of Authority for the Office of Water Deputy Assistant Administrator to Perform All Duties Delegated to the OW Assistant Administrator.

1. AUTHORITY. To take necessary action in performance of all functions and duties previously delegated to the OW assistant administrator in the EPA's Delegations Manual that could have been redelegated to an OW subordinate official. The non-career deputy assistant administrator is also designated as the responsible official when a limitation in the Delegations Manual requires other agency offices or regions to consult, coordinate with, or obtain the approval or concurrence of the OW assistant administrator before taking action.

2. TO WHOM DELEGATED. Deputy assistant administrator for the Office of Water (non-career).

3. LIMITATIONS.

This temporary delegation of authority is limited to the purposes stated above and will remain in effect until the President appoints a nominee for the position of assistant administrator after Senate confirmation (upon advice and consent) or makes a recess appointment to fill the vacant position. It does not supersede or alter any previous re-delegations of authority made by the OW assistant administrator.

4. REDELEGATION AUTHORITY. The non-career deputy assistant administrator may redelegate authority consistent with EPA's Delegations Manual. Such a redelegation would not divest the non-

career deputy assistant administrator of the power to exercise that authority, which the non-career deputy administrator or the Administrator may revoke at any time.

5. REFERENCES. None.

105-1-20A



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 26 2014

MEMORANDUM

SUBJECT: Clean Water Act Section 303(c)(4)(B) Temporary Delegation of Authority

FROM: Gina McCarthy *Gina McCarthy*

TO: Principal Deputy Assistant Administrator, Office of Water

I hereby delegate to the principal deputy assistant administrator for the Office of Water a temporary delegation of authority to determine pursuant to Clean Water Act section 303(c)(4)(B) whether revised or new water-quality standards for phosphorus, nitrogen, chlorophyll *a*, and turbidity are necessary to meet the requirements of the Clean Water Act for waters in all 50 states without such criteria.

1. AUTHORITY.

To determine pursuant to Clean Water Act section 303(c)(4)(B) whether revised or new water-quality standards for phosphorus, nitrogen, chlorophyll *a*, and turbidity are necessary to meet the requirements of the Clean Water Act for waters in all 50 states without such criteria.

2. TO WHOM DELEGATED.

The authority is delegated to the principal deputy assistant administrator for the Office of Water.

3. LIMITATIONS.

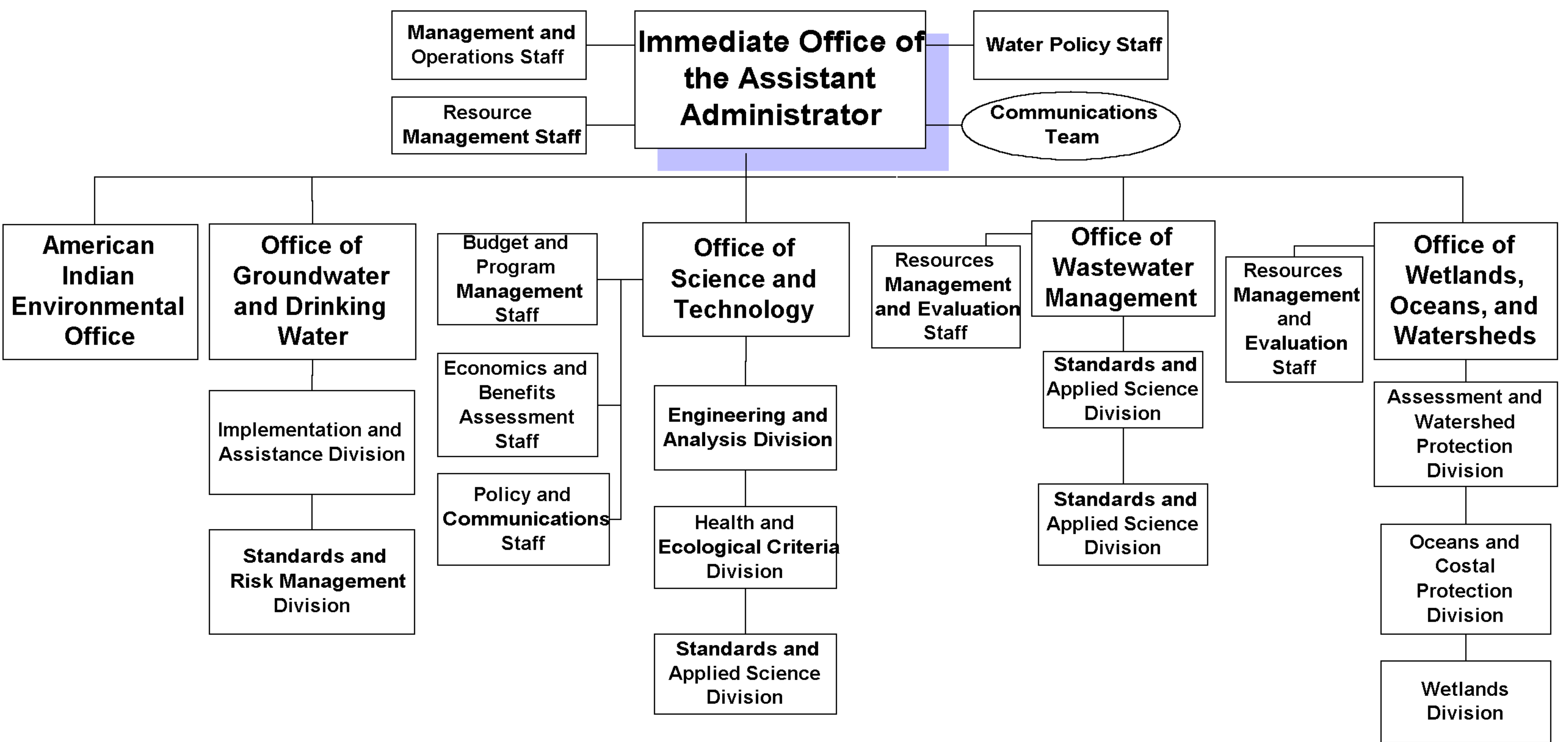
This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act.

4. REDELEGATION AUTHORITY.

This authority may not be redelegated.

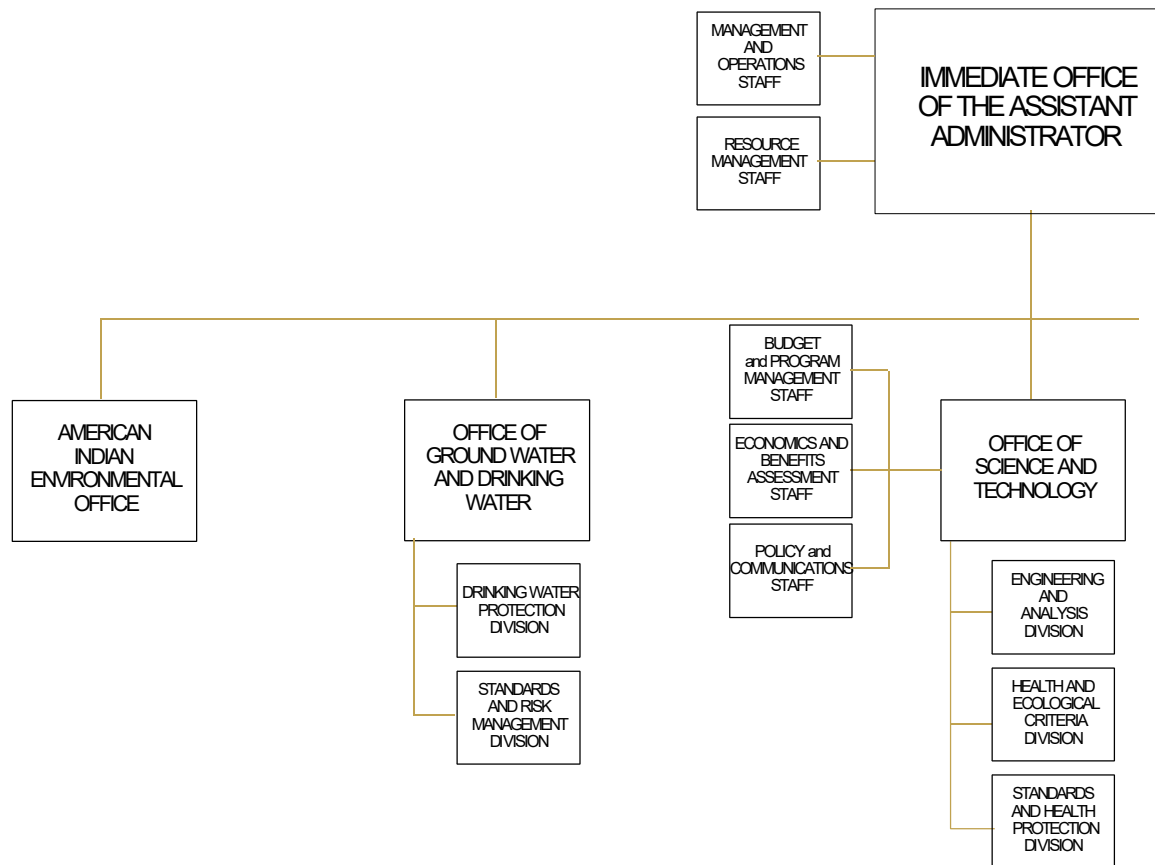
5. ADDITIONAL REFERENCES.

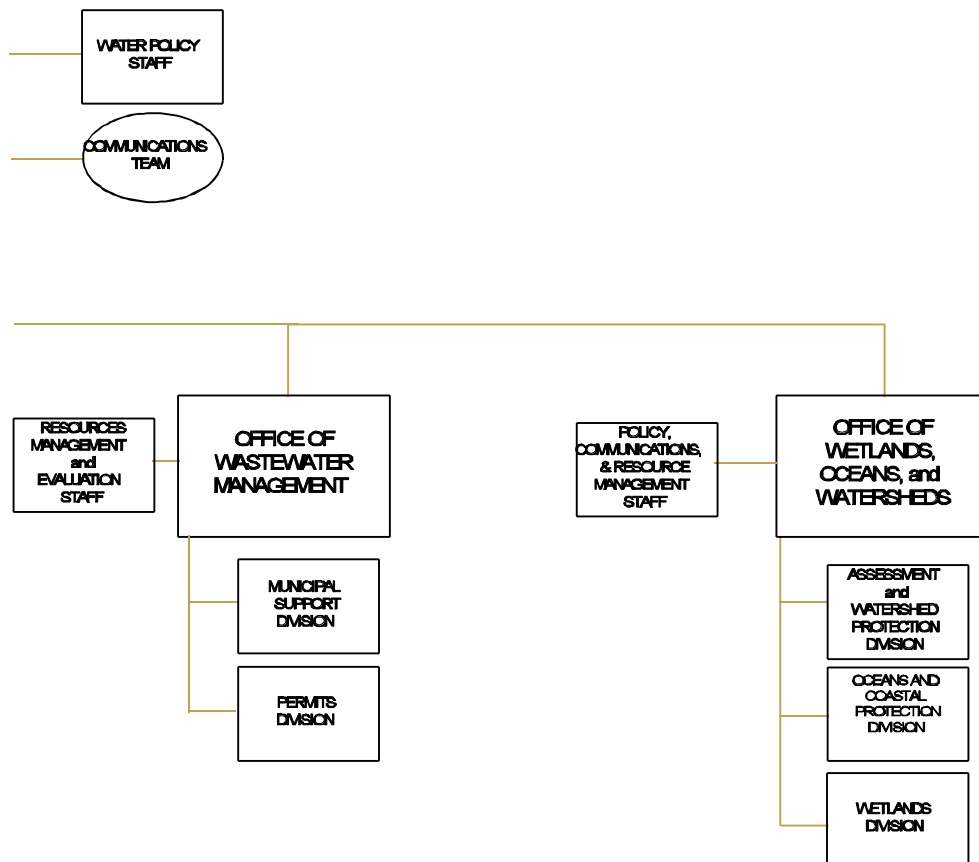
None.



OFFICE OF WATER (OW)

OW ORGANIZATIONAL CHART





OW FUNCTIONAL STATEMENT

1. **IMMEDIATE OFFICE OF THE ASSISTANT ADMINISTRATOR.** The Office of the Assistant Administrator for Water serves as principal advisor to the Administrator and provides Agency-wide policy, guidance and direction for the Agency's water quality, drinking water, groundwater, wetlands protection, marine and estuarine protection, and other water related programs. Primary responsibilities include program policy development and evaluation; program policy guidance and overview, technical support, and evaluation of Regional activities; environmental and pollution source standards development; the conduct of enforcement, compliance and permitting activities as they relate to drinking water and water programs; development and implementation of programs for education, technical assistance and technology transfer; development of selected demonstration programs; long-term strategic planning and special studies; and development and implementation of pollution prevention strategies.
 - a. **MANAGEMENT AND OPERATIONS STAFF.** The Management and Operations Staff Director reports to the Deputy Assistant Administrators. The Management and Operations Staff is responsible for the coordination of the OW Human Resource and Information Management function. This includes providing policy, guidance and advice to all of OW and processing support to the Immediate Office. The Management and Operations staff initiate OW-wide information management activities to maximize information resources and provide cutting edge information analysis; facilitate the development and implementation of OW-wide information resource management plans and budgets; maintain management processes to ensure that the use of information resources conforms to Agency requirements; manage a centralized human resource staff which coordinates the human resource processes for all OW; serve as a focal point for staff assistance on affirmative action, cultural diversity and organization development initiatives; coordinate and provide for the development of OW-wide employee training programs, including managerial and supervisory training, to meet the current and projected skill requirements of the workforce; plan and provide for the development of OW-wide recruitment programs based on an assessment of the long-term human resource needs of the Office of Water as reflected in strategic plans; coordinate and provide guidance for implementation of the performance management systems (PERFORMS) for all of OW; oversee the OW awards program to include the implementation of the awards boards, SES awards, and honor awards ceremony; coordinate and serve as the focal point for Office of Water Human Resources Council initiatives; control OW correspondence function; serve as central repository for delegations and organizational structure documents; manage the OW Quality Assurance (QA) Program as required by EPA; manage OW national planning meetings such as Water Division Directors' meetings; operate committees and National water program annual planning meeting; operate facilities and support services, automated data processing, health and safety services, organization and management services, space management, and procurement of supplies and equipment; and participate and coordinate with the Office of Environmental Justice to develop and implement a national objective to ensure that all people, regardless of race, ethnicity, culture or income status, live in a healthy, safe and sustainable community.
 - b. **RESOURCE MANAGEMENT STAFF.** The Resource Management Staff Director reports to the Deputy Assistant Administrators. The Resource Management Staff Director is primarily responsible for overseeing the functions of budget formulation and development, budget execution, budget and financial systems management, and Federal Managers Financial Integrity Act (FMFIA). The Resource Management Staff serve as principal liaison with the Office of the Chief Financial Officer (OCFO) in the areas of budget formulation, development, and execution and budget and financial systems management; serves as principal liaison with the office of Administration and Resources Management (OARM) in the areas of grants and contracts administration; review contracts which require the Assistant Administrator's approval; manage the development of a system of accountability for the National Water Program, including developing OW measures for the Government Performance and Results Act (GPRA) and working with Regional and Headquarters offices to obtain commitments and monitors performance against commitments; work with States to implement the National Environmental Performance Partnership System (NEPPS); and provide liaison and coordination on administrative and budget issues with other program offices, Federal agencies such as the Office of Management and Budget, and the Congress regarding administrative and budget issues.

- c. **WATER POLICY STAFF.** The Water Policy Staff Director reports to the Deputy Assistant Administrators and serves as the principal staff to the Assistant Administrator and Deputy Assistant Administrators for coordinating and facilitating the review and analysis of policies and regulations relating to the National Water Program originating both within and outside the Office of Water (OW). The Water Policy Staff provide analyses on policy issues that cut across program areas within OW and the Agency and work with water program offices and other EPA offices to resolve issues; coordinate the analysis of proposed changes to all relevant statutes and develop options to improve or clarify legislative authorities; develop new initiatives and special projects as requested by the Assistant Administrator; coordinate and comment on OW regulations to assure consistency with the Assistant Administrator's policies and statutory and Agency requirements; coordinate interagency initiatives related to clean water (e.g., Clean Water Action Plan) and drinking water; support senior managers in defining long-range plans, setting strategic goals (e.g., GPRA goals) and setting program priorities in coordination with the Resource Management Staff Director; communicate the views and policies of the Office of Water to other EPA Headquarter offices, Regional offices and stakeholders; identify opportunities to improve the effectiveness of water programs (e.g., reinvention); propose initiatives and new approaches that accomplish needed changes; develop close working relationships with Federal, State and local governments, and public and private stakeholders; manage/conduct program and management evaluations, and coordinate development of responses to General Accounting Office and Inspector General reports; and perform support functions as necessary such as Congressional testimony, speeches, and other appropriate analyses.

2. **AMERICAN INDIAN ENVIRONMENTAL OFFICE.** The American Indian Environmental Office, under its Director, will perform the following functions:

Coordinate the Agency's Indian program and ensure appropriate communication and, where applicable, consistency throughout the Programs and Regions.

Promote cross-media integration of the tribal operations and ensure that such operations remain a priority throughout the Agency with the appropriate resource and management support to carry out Program responsibilities in Indian Country.

In coordination with Headquarters and Regional Program Offices, develop budget and other resource needs for tribal Operations.

In coordination with Headquarters and Regional Program Offices, develop and/or support, in a manner consistent with the EPA Indian Policy, Agency policies, regulations and guidance regarding tribal operations.

In coordination with the Headquarters Program Offices, develop a National Tribal Environmental Strategy, which would support the Regional strategies.

In coordination with the Headquarters and Regional Program Offices, establish and/or strengthen management feedback and tracking systems and specific reporting requirements for the implementation of the Agency's Indian Policy, program delivery and other relevant Agency initiatives.

Serve as the National Program Manager for the General Assistance Program.

Chair the National Indian Workgroup.

Coordinate Headquarter's interagency activity on tribal operations including an Interagency Working Group.

Coordinate education and awareness training for EPA staff and management on Federal responsibility in Indian Country, tribal environmental concerns, cultures and legal issues.

Serve as cross-media clearinghouse; coordinate agency-wide data collection for the Indian program.

Coordinate the Tribal Operations Committee.

Develop and administer the national guidance of Tribal PPGs.

3. **OFFICE OF GROUND WATER AND DRINKING WATER.** The Office of Ground Water and Drinking Water (OGWDW), under the supervision of the Office Director, has national program management responsibility for the Safe Drinking Water (SDWA), including the Ground-Water Protection, Public Water Supply Supervision (PWSS), and Underground Injection Control (UIC) programs. Specifically, the Office performs these functions:

Develops regulations and guidelines to protect drinking water quality and existing and future underground sources of drinking water.

Establishes and implements an EPA framework for public water supply and ground-water protection decision-making and recommends policies to the Assistant Administrator.

Develops a national program of public information relating to public water supplies and ground water protection.

Works with States and Tribes to provide to the public information on drinking water as well as through the Internet and additional publications.

Develops plans and policy for response to water supply emergencies.

Coordinates water supply and ground water protection activities with other Federal agencies as necessary.

Serves as liaison with the National Drinking Water Advisory Council.

Works with the Office of Enforcement, the Office of Solid Waste and Emergency Response, the Office of Prevention, Pesticides and Toxic Substances, and the Office of Wastewater Enforcement and Compliance to assure the safety of both surface and ground-water supplies.

Develops and defends a national program budget reflecting program needs and priorities.

Assures the implementation of Agency policy and priorities in the Regions and Headquarters.

Provides technical direction and support to Regional offices.

Manages the development and implementation of delegation oversight procedures and evaluation of Regional water supply and underground injection control programs.

Provides analysis of Federal and State legislation directly or indirectly related to ground water and/or drinking water protection.

Provides to the States technical and policy assistance as well as ground-water planning grants [(under the authority of Section 106 of the Clean Water Act (CWA)], in support of the development and implementation of States' ground-water protection strategies and comprehensive ground-water protection programs.

Works with States to implement the drinking water source assessment provisions of the 1996 SDWA Amendments.

Provides technical and institutional support to the implementation of the Wellhead Protection (WHP) Program, the Sole Source Aquifer Designation Program, and the Comprehensive State Groundwater Protection Program.

Develops and promotes increased access and utility of EPA's safe drinking water information system and ground-water databases.

Provides the primary points of contact in the Agency for the various State agencies implementing ground-water protection programs.

Reviews Sole Source Aquifer petitions and regulated projects.

Works with Indian tribes in the development of tribal ground-water protection programs.

Works with each State to establish and maintain its drinking water State Revolving Loan Fund.

Works with States and drinking water utilities to provide assistance to small water systems to gain and maintain technical, financial and managerial capacity.

Holds extensive stakeholder meetings to involve all parties in developing programs and regulations pursuant to the 1996 SDWA Amendments.

Works with the Office of Water's Office of Science and Technology and EPA's Office of Research and Development to conduct a strong research program to provide the sound science support for risk-based decision making in the drinking and groundwater programs.

Carries out the goal setting, measurement and reporting activities to fulfill the Government Performance and Results Act (GPRA).

- a. **DRINKING WATER PROTECTION DIVISION.** The Drinking Water Protection Division (DWPD), under the supervision of a Division Director, shares responsibility with stakeholders and the public to achieve the public health goals of the Safe Drinking Water Act (SDWA) and related programs. The DWPD provides national program direction for all aspects of the Public Water Supply Supervision (PWSS), Source Water Protection and Underground Injection Control (UIC) programs DWPD also develops and maintains all the necessary associated automated information systems and databases. The Division also manages the Drinking Water State Revolving Fund and related set aside.

More specifically, DWPD provides leadership and guidance in the Office's coordination with and support of the above-referenced Regional and partner programs. The Division is also responsible for Office and Agency-wide initiatives relating to the reduction of reporting requirements, environmental justice and utilization of Minority and women-owned Business Enterprises and other broad-based, implementation-oriented efforts. DWPD is the lead entity in OGWDW for interaction and coordination with the Office of Solid Waste and Emergency Response (for UIC and ground water protection interfaces), The Office of Environmental Information (for environmental data management business), the Office of Enforcement and Compliance Assurance (for functions related to PWSS and UIC), the Office of Pollution Prevention, the Office of Wastewater Management (for water conservation and consistency on State Revolving Funds for drinking water and wastewater), and the Office of Wetlands, Oceans, and Watersheds (for issues relating to the management of drinking water source watersheds). The Division also supports OGWDW's data collection, standards setting and regulatory development processes; promotes OGWDW positions and policies with a variety of diverse interest groups; and coordinates Agency-wide ground water protection initiatives. DWPD has the lead OGWDW responsibility for outreach, education and training activities to improve public and co-regulator understanding of program goals and drinking water risks. The Division also provides support in response to national, regional and local water supply emergencies.

The Division consists of three Branches and a small Immediate Office staff. The Immediate Office staff provides program management and leadership, oversight of budget execution, program reporting and a variety of special project functions. The major focus of the individual branches are outlined below.

- 1) **INFRASTRUCTURE BRANCH.** The Infrastructure Branch is broadly responsible for information management, communication, financial and other activities associated with the DWPD's programs, including: the development, refinement and operation of the Safe

Drinking Water Information System (SDWIS) and related information systems; the management and implementation of the Drinking Water State Revolving Fund (DWSRF) has primary responsibility for managing , as well as associated set asides; the management of the Needs Survey for drinking water infrastructure on its mandated four-year cycle; provides leadership and direction to a variety of public outreach and consumer awareness activities, including the Safe Drinking Water Hotline; and the development and implementation of other supporting databases and information collection activities designed to support program rules and implementation. The Branch also manages OGWDW's computer system and software activities, coordinates with the Office of Water and Agency offices on information management and data systems, maintains portals and provides training to OGWDW staff on Agency-wide data and geographic information systems.

- 2) **PROTECTION BRANCH.** The Protection Branch is responsible for all aspects of the implementation of the PWSS program including the development of all rules other than drinking water standards necessary for program implementation; establishes strategic goals and interim objectives consistent with public health priorities and statutory mandates; provides associated policy and management guidance; specifies requirements for primacy and conducts reviews of corresponding primacy applications; oversees and supports Regional, partners, and public water systems progress in implementing the program; provides technical and program support specifically targeted for the universe of small drinking water systems; develops and maintains models and determines allocations for the PWSS grant program; and tracks utilization of these grant funds. The implementation responsibilities of the Branch include close coordination with the Standards and Risk management Division on the development of new rules and the associated training and technical assistance for rule implementation. The Protection Branch works with Regions, partners, the drinking water industry and an array of other co-regulators and other interest groups to implement these efforts.
 - 3) **PREVENTION BRANCH.** The Prevention Branch is responsible for all aspects of the implementation of the UIC and SWP programs including the development of rules (UIC only) necessary for program implementation; establishes strategic goals and interim objectives consistent with public health priorities and statutory mandates; provides associated policy and management guidance for UIC, Wellhead and SWP programs; specifies requirements for primacy and conducts reviews of corresponding primacy applications (as applicable); oversees and supports Regional, partners, and local progress in implementing these programs; develops and maintains models and determines allocations for the UIC grant program; tracks utilization of these grant funds; and develops technical assistance documents associated with the identification, assessment and management of Wellhead and SWP areas. The Branch is the lead in OGWDW's efforts to implement the Clean Water Action Plan initiative. The Prevention Branch works with Regions, partners, the drinking water and UIC industries, and an array of co-regulators and other interest groups to implement these efforts.
- b. **STANDARDS AND RISK MANAGEMENT DIVISION.** The Standards and Risk Management Division (SRMD), under the supervision of a Director, develops lists of chemicals and microbials for regulation; establishes and revises all regulations and guidelines relating to primary and secondary drinking water standards; develops technical information in support of those standards; provides technical assistance on drinking water issues to external parties; manages and coordinates with other Offices and external parties the drinking water research program; coordinates stakeholder involvement activities; and directs the drinking water-related Quality Assurance/Quality Control Programs, including oversight of the Performance Evaluation and Laboratory Certification Programs.

More specifically, SRMD develops technical information and provides technical support to the Office, Regions, States and public water suppliers in the areas of occurrence estimation; identification of Best

Available Technologies (BATs); operation and maintenance of water treatment plants and distribution systems; monitoring; analytical methods; compliance strategies, including innovative technologies, point of use treatment and bottled water, compliance cost and benefit estimation; economic impact assessment, including the technical and financial characteristics of community water systems; upgrading treatment plant performance; statistical and other uncertainty analyses; laboratory operations and certification; and water treatment residuals management.

The Division also provides technical support internationally (in coordination with OIA), nationally, regionally and locally in support of the development of drinking water programs, drinking water regulations, treatment and emergency supply response planning. The Division has the lead on regulatory program reassessment and public-private partnerships. The Division is the lead division for coordination of the Office's activities with the other Federal Agencies, including the Food and Drug Administration, Center for Disease Control, and the US Geological Survey; as well as with EPA's Science Advisory Board, Office of Policy and Program Evaluation, Office of General Counsel, Office of International Activities, Office of Pesticides and Toxic Substances, Office of Research and Development, Office of Air and Radiation, and the Office of Science and Technology.

- 1) **STANDARDS AND RISK REDUCTION BRANCH.** The Standards and Risk Reduction Branch (SRRB) of the Standards and Risk Management Division is responsible for the development of regulations and guidance in support of the Safe Drinking Water Act. The branch is responsible for the development of microbial and disinfection byproduct regulations as well as the preparation of associated occurrence, economic, research, cost and technology, and treatment effectiveness support documents and related analysis.
- 2) **TARGETING AND ANALYSIS BRANCH.** The Targeting and Analysis Branch (TAB) of the Standards and Risk Management Division is responsible for the development of regulations and guidance in support of the Safe Drinking Water Act. The branch is responsible for collecting data and identifying contaminants that may pose a threat to public health through public water supplies and distribution systems. The branch is also responsible for the identification of Best Available Technologies (BAT) for the treatment of drinking water, development of a National Contaminant Occurrence Database, and coordination on development and approval of analytical methods for use in regulatory compliance.
- 3) **TECHNICAL SUPPORT CENTER.** The Technical Support Center (TSC) is responsible to the Director, Standards and Risk Management Division, for support to regulations development, Information Collection Rule implementation, the Partnership for Safe Water, treatment plant optimization, analytical method development, drinking water laboratory certification and associated Performance Evaluation studies. The Center also provides external technical assistance in support of EPA Regional and State drinking water programs.
4. **OFFICE OF SCIENCE AND TECHNOLOGY.** The Office of Science and Technology (OST), under the supervision of a Director is responsible to the Assistant Administrator for Water for developing sound, scientifically defensible standards under the Clean Water Act, and criteria, advisories, and guidelines under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) that articulate the goals and regulatory framework for restoring and maintaining the biological, chemical and physical integrity of the nation's water resources, protect the nations public water supplies and achieve technology-based pollution control requirements in support of point-source programs, non-point source programs, wetlands programs, drinking water programs, dredged material management programs, and geographic-specific programs [(e.g., Great Lakes, coastal, estuaries; established under the CWA, SWDA, the Marine Protection, Research, and Sanctuaries Act (MPRSA))] and related statutes; providing technical guidance and assistance supporting implementation of dredged material management programs under Section 404 of the CWA and MPSA; and developing human health and ecological risk methodologies, criteria documents,

guidance, and policies in support of Section 304(a) of the CWA, including water quality criteria, sediment criteria, bio-accumulation factors, and biological criteria.

The Office is also responsible for supporting CERCLA and RCRA through development of Maximum Contaminant Level Goals; proposing and promulgating regulations (e.g., Part 130/131, Indian regulations); providing litigation support, advice, and consultations for Office of General Counsel, Office of Enforcement, States; developing methodologies, technical regulations and guidelines under Section 405 of the Clean Water Act governing use and disposal of sewage sludge, development of beneficial reuse policy for sludge, directing the national program for adoption of water quality standards to ensure that the chemical, physical, and biological integrity of the nation's waters are restored and maintained; reviewing, approving or disapproving, and promulgating Federal water quality standards under Section 303 of the CWA; guidance for risk assessment methodology and methods for evaluating ecological effects and exposure assessment of sediments for MPRSA and Section 404; developing and coordinating an Agency-wide approach to preventing and re-mediating contaminated sediment, and dealing with problems of contaminated fish; developing technical guidance in support of water quality-based controls; development of criteria and standards aspects of environmental indicators; application and implementation of water quality standards; development of methodologies and guidance for technical aspects of TMDLs/WLAs/LAs, and development and implementation of whole effluent toxicity methods; the development of effluent limitations guidelines and standards and guidelines regulations applicable to industrial discharges to: surface waters, and to publicly-owned treatment works; and regulations defining secondary treatment requirements for publicly-owned treatment works; conducting economic and statistical studies and analyses in support of water pollution control programs; providing outreach, education, training, coordination, liaison, information exchange with Regions, States, Indian Tribes, cities, other Federal agencies, Congress, environmental, industrial, citizens' interest groups, and international groups, and nations in consultation with the Office of International Activities (OIA).

The Office is responsible for legislative analysis and coordination; providing analysis and advice to the Assistant Administrator and other senior officials on scientific and technical issues related the water environment and to programs administered by the Office of Water; coordinating Office of Water participation in the EPA's Research Agenda, including the development of unified OW positions in consultation with all offices in OW and with Regional program "customers"; implementing the EPA/OW Quality Assurance/Quality Control Program to ensure that all environmentally-related measurements are of known and defensible quality; data quality requirements are specified to meet our customers' needs and program objectives; QA/QC requirements are addressed in regulatory development; and QA/QC is performed by each division in full conformance with EPA policy and the Office's QA/QC Program; serving as the representative for the Office of Water to the Risk Assessment Council, and providing staff support; providing representative and staff support to the Risk Assessment Forum on risk assessment issues related to water contaminants; coordination of Office of Water interaction with other offices and agencies regarding science and risk assessment issues (includes ORD, SAB, OSWER, OPPTS, DOD, NAS/NRC, DHHS, WHO, IARC, IPCS); encouraging and coordinating OW participation in international activities of a scientific or technical nature, in cooperation with the OW Immediate Office and in consultation with the OIA; planning and managing resources, for OST; strategic planning, budget formulation, budget execution, fiscal management, program management (Government Performance Results Act), and human resources management; ensuring the implementation of Agency policy and priorities concerning science and technology in the Regions and Headquarters; and initiating development of analytical methods for wastewater, sediment, sludge, and other media.

- a. **BUDGET AND PROGRAM MANAGEMENT STAFF.** The Budget and Program Management Staff (BPMS) is responsible for budget development and management; fiscal management and oversight of FMFIA responsibilities; ensuring incorporation of GPRA priorities into annual program plans and evaluations; coordinating the development and monitoring of Headquarters' operating plans; directing overall administrative support activities; coordinating the Office's annual program agenda, program guidance, program reviews, mid-year reviews, GPRA commitments, and management reporting; and developing and maintaining operating plans, fund allocations, and fiscal controls.
- b. **ECONOMICS AND BENEFITS ASSESSMENT STAFF.** The Economic Benefits Assessment Staff (EBAS) is responsible for improving the tools and methods used to evaluate environmental economics -- costs and particularly benefits of water regulations and policies; providing expert advice and support to offices within OW and to OW management to develop analysis of the costs, benefits, and economic implications of OW policies and regulations that meet statutory and other requirements; participating in inter- and intra-agency workgroups on methodology development and Agency guidance for conducting economic analyses;

and exploring and assisting with implementation of such market based instruments as taxes, fees and effluent trading.

- c. **POLICY AND COMMUNICATIONS STAFF.** The Policy and Communications Staff (PCS) is responsible for long-term strategic planning and coordination of new initiatives for the Office; coordinating the development and implementation of communication strategies; coordination of outreach activities and information exchange, including management of OST's home page; coordinating and implementing information management policies, procedures; design and operation of the OST local area network; developing legislative initiatives, and conducting legislative analysis; coordinating cross-media integration with other Agency programs; and coordinating the interagency and international, in consultation with OIA, initiatives of the Office.
- d. **ENGINEERING AND ANALYSIS DIVISION.** The Engineering and Analysis Division (EAD), under the supervision of a Director, is responsible for the development of effluent guidelines and standards regulations applicable to industrial discharges to surface waters, and to publicly-owned treatment works; regulations defining secondary treatment requirements for publicly-owned treatment works; conducting economic and statistical studies in support of OST programs; developing technical reports and guidance documents for unregulated industries and pollutants; providing technical assistance, advice and consultation to the Office of General Counsel, and the Office of Enforcement, for adjudication of regulations; providing technical support and assistance on the interpretation and implementation of specific effluent guidelines regulations variances, and other permitting issues to OWM, Regional offices, State permit authorities, municipalities, and private parties; and providing technical advice on water quality management issues affecting industrial sources.

The Division is responsible for evaluating and providing program policies on industrial water pollution; investigating new technologies, pollution prevention processes and emerging industries; assessing the treatability of individual pollutants for industry-specific wastewater and treatment technologies; maintaining liaison with ORD, industry, and interest groups; to assure that the most recent advances in technology are incorporated into guidelines; developing and revising analytical methods for water and wastewater analysis, sludge, sediment, and other appropriate media; and conducting sampling and analyses in support of effluent guidelines, Regional and State actions, special studies, and other OW programs.

- 1) **ANALYTICAL METHODS STAFF.** The Analytical Methods Staff provides laboratory services and develops analytical methods for detecting pollutants in wastewaters.
- 2) **CHEMICALS AND METALS BRANCH.** The Chemicals and Metals Branch develops effluent guidelines and also provides technical assistance to State and local permitting authorities. The Branch covers a variety of industries including metal products and machinery, landfills and incinerators, iron and steel, centralized waste treatment, and organic chemicals.
- 3) **COMMODITIES BRANCH.** The Commodities Branch develops effluent guidelines and also provides technical assistance to State and local permitting authorities. The Branch covers a variety of industries including pulp and paper, animal feedlots, leather tanning, timber, textiles, and paint manufacturing.
- 4) **ECONOMIC AND STATISTICAL ANALYSIS BRANCH.** The Economical and Statistical Analysis Branch prepares regulatory analyses for each industrial category. The analyses include economic impacts, cost-effectiveness, and cost-benefit comparisons. Statistical analysis supports all of the Division's work with data analysis, sampling frames, and database management.
- 5) **ENERGY BRANCH.** The Energy Branch develops effluent guidelines and also provides technical assistance to State and local permitting authorities. The Branch covers a variety

of industries including mining, oil and gas, pesticide chemicals, electric power, industrial laundries, and storm water.

- e. **HEALTH AND ECOLOGICAL CRITERIA DIVISION.** The Health and Ecological Criteria Division (HECD), under the supervision of a Director, is responsible for developing sound, scientifically defensible criteria that articulate the goals for the nation's water resources through development and refinement of risk and exposure assessment methodologies. It provides all risk assessment support for the SDWA, including conducting complete risk assessment (i.e., hazard identification, dose-response assessment, human exposure assessment, and risk characterization) of drinking water contaminants; conducting toxicological and epidemiological evaluations of contaminants found in drinking water; developing maximum contaminant level goals (MCLGs) and health advisories for contaminants in drinking water of national importance, based on carcinogenic and non-carcinogenic health effects, in order to protect public health; developing health advisory guidance for contaminants in drinking water; developing health-based levels for use by the Office of Ground-Water and Drinking Water (OGWDW) in unreasonable risk to health guidance; providing human health toxicological and exposure assessment documentation to support drinking water standards; and assisting in emergency situations by providing scientific and toxicological advice, developing criteria documents and guidance, and performing other criteria-setting activities, including ambient water quality criteria, sediment quality criteria, bio-accumulation factors, and biological criteria.

The Division in support of Section 304(a) of the Clean Water Act, to protect aquatic life and human health, and restore and maintain the ecological integrity of surface waters; establishing selection criteria, and processing petitions for adding substances to or deleting substances from the list of toxic pollutants established under Section 307(a) of the Act; maintaining and revising the list of conventional pollutants required by Section 304(a)(4) of the CWA; providing technical assistance and support in implementing and interpreting criteria and guidance to other EPA offices, Regional offices, and States; developing technical regulations and guidelines under Section 405 of the Clean Water Act governing use and disposal of sewage sludge, including identifying and applying numerical criteria and management requirements applicable to each use or disposal practice; developing risk assessment and exposure assessment methodologies applicable to Office of Water programs; coordinating OW research needs with ORD regarding human health, ecological effects, risk assessment, exposure assessment, and criteria development activities, in consultation with OW and Regional Office "customers"; providing staff support for the Office of Water to the Science Policy Council; providing representative and staff support to the Risk Assessment Forum on risk assessment issues related to water contaminants; providing review and development support for the EPA Integrated Risk Information System; coordination of OW interactions with other offices and agencies regarding science and risk assessment issues (includes ORD, SAB, NAS/NRC); and provides technical assistance to international organizations in development of health-based guidelines (includes WHO, IPCS, IARC), in consultation with OIA.

- f. **STANDARDS AND HEALTH PROTECTION DIVISION.** The Standards and Health Protection Division (SASD), under the supervision of a Director, is responsible for maintaining and protecting water quality for safe fishing and swimming by guiding and managing the national water quality standards and advisories programs. This is accomplished by coordinating with our partners (EPA offices and Regions, States, Tribes, and local governments, and other Federal agencies) in providing the following: regulations; policies or guidance needed to support healthy aquatic life and public health; tissue; technical tools, such as water quality models, and databases to enhance these efforts; communication of program requirements and health risks through training, public outreach and open access to environmental and public health information.

- 1) **HEALTH PROTECTION AND MODELING BRANCH.** The Health Protection and Modeling Branch is responsible for: providing technical support and assistance in controlling ecological and human health risks from toxic sediment and fish; providing technical support and assistance in controlling the human health risks from contaminated beaches; and evaluating the environmental impact of standards and regulations in support of water programs.

- 2) **WATER QUALITY STANDARDS BRANCH.** The Water Quality Standards Branch is responsible for: guidance and direction of the National Water Quality Standards Program, including development of national policies; provision of technical assistance, guidance, and support; review of States and Tribal-adopted Water Quality Standards; promulgation of Federal Standards, and conducting outreach and education with a wide and diverse range of stakeholders.
5. **OFFICE OF WASTEWATER MANAGEMENT.** The Office of Wastewater (OWM), under the supervision of the Office Director, is responsible to the Assistant Administrator for Water for directing the National Pollutant Discharge Elimination System (NPDES) permit, pretreatment, municipal biosolids management (including beneficial use) programs under the Clean Water Act (CWA); managing and overseeing water infrastructure financing programs, including the Construction Grants, the Clean Water State Revolving Fund, the financial aspects of the Drinking Water State Revolving Fund, Indian Setaside and Alaska Native Villages programs, as well as infrastructure assistance to colonias, special populations, and, in coordination with the Office of International Activities (OIA), communities along the Mexican Border providing national leadership for the orderly completion and closeout of the Construction Grants program; developing and disseminating technical information and assistance on community water resource management, especially to underserved communities; developing and defending a national program budget reflecting program needs and priorities; ensuring the implementation of Agency policy and priorities in the Regions and Headquarters; providing technical direction and support to Regional offices and other organizations; managing the development and implementation of State delegation and oversight procedures; evaluating Regional municipal point source abatement and control programs including related water quality and cost effectiveness issues, in cooperation with the Office of Science and Technology (OST) and the Office of Wetlands, Oceans and Watersheds (OWOW); developing program policy, guidance, and regulations for permitting, sludge management, compliance assistance, and pretreatment activities; evaluating regional permitting, pretreatment compliance assistance programs; managing Clean Water Act Section 106 and 104(b) grant programs; providing outreach, education, training, coordination, liaison, and information exchange with Regions, States, Indian Tribes, cities, other Federal agencies, Congress, environmental, industrial, citizens' interest groups, international groups, and other nations, in conjunction with OIA; legislative analysis and coordination; coordination with the Office of Research and Development (ORD) on research strategy, in cooperation with OST; implementing the EPA/OW Quality Assurance/Quality Control Program to ensure that environmentally related measurements are of known and defensible quality; and planning and managing resources including strategic planning, budget formulation, budget execution, fiscal management, program management (STARS), and human resources management.
 - a. **RESOURCES MANAGEMENT AND EVALUATION STAFF.** The Resources Management and Evaluation Staff (RMES), under the supervision of a Director serves as principal staff to the Office Director on matters relating to policy, budget, administration, management, strategic planning, and legislation; manages budget processes for OWM, including budget development, implementation, and financial management; as requested by the Office Director, reviews and comments on specific policy issuances to assure consistency with Office policy and participates in work groups for strategy/policy development and resource analyses; coordinates all level-of-effort contracts for OWM; manages and coordinates annual operating guidance and Office of Water and Agency accountability systems (STARS/OWAS/AOG); coordinates international program, in consultation with OIA; manages Clean Water Act Section 106 and 104(b) grant programs; manages administrative processes such as performance standards systems, space, human resource management, organization and management services, training, Federal Managers' Financial Integrity Act (FMFIA), and Internal Control Reviews (ICR); coordinates the development and negotiation of the Information Collection Budget; undertakes special projects, as assigned, including permit fees, cooperative agreements, and near coastal water activities/coordination; and coordinates review of Regional performance, including quarterly STARS performance vs targets, mid-year evaluations, and Regional reports for AA, DAA, and AAA trips.
 - b. **MUNICIPAL SUPPORT DIVISION.** The Municipal Support Division (MSD), under the supervision of a Director, is responsible for the national management of the construction grants (CG), CWA Indian Set Aside (CWA ISA), special appropriations acts (including needy cities, Mexican Border, Colonias, and Alaska Native Villages) and State Revolving Fund (SRF) programs, and the ongoing oversight of these assistance programs. The division implements the strategy for successful completion and closeout of the CG program,

in coordination with the Grants Administration Division (GAD) and the Offices of General Counsel (OGC) and Inspector General (OIG); maintains and regularly updates inventories and cost estimates of existing and needed future municipal wastewater treatment works and capital investment to meet the goals of the CWA; coordinates with the Office of the Inspector General (IG) on a continuing program of investigations and audits of SRF programs to prevent waste, fraud, and mismanagement; oversees management by the States of the construction grant and CW SRF programs, conducts evaluations of Regional, State, and Tribal performance in relevant priority areas, and takes corrective action as necessary; promotes alternative financing methods for construction and upgrade of environmental infrastructure facilities, financial management techniques, and methods of encouraging "public-private partnerships," and alternative financing schemes for State water quality programs; promotes the beneficial use of biosolids; manages the Federal Managers' Financial Integrity Act (FMFIA) and Internal Control Reviews (ICR) for OWM; provides technical guidance, assistance, training and other information necessary for the cost-effective management of community water resources; manages programs to evaluate both conventional and innovative/alternative technologies, as well as technologies which deal with infiltration/inflow correction, small alternative wastewater treatment systems, biosolids and toxic management, industrial pretreatment, and secondary treatment; promotes State-based municipal water pollution prevention programs in concert with the Office of Enforcement and Compliance Assurance, Regions and States; manages a national outreach and technical assistance program to help small communities and Indian Tribes find the help they need to meet their wastewater treatment needs; manages cooperative agreements/grants that fund the activities of the National Small Flows Clearinghouse, National Environmental Training Center for Small Communities, and national onsite wastewater demonstration projects; manages a national operations and maintenance program for small communities and Indian Tribes; coordinates an EPA effort to incorporate water conservation principles into Agency programs to establish a national ethic of efficient water use, reduce overall water use, and increase reclamation and reuse of wastewater for various applications; increases public education and awareness through awards programs and public service programs; and works closely with ORD and OST to develop, implement, and monitor research and development support for municipal wastewater treatment activities.

- 1) **MUNICIPAL ASSISTANCE BRANCH.** The Municipal Assistance Branch (MAB), under the supervision of a Branch Chief, oversees the administrative completion and closeout of the Construction Grants Program; resolves disputes appealed to the Assistant Administrator for Water that arise from the Construction Grants program; oversees the dispute resolution process in the Regions; manages the allocation of funds for the Corps of Engineers (COE); manages special water and wastewater infrastructure projects included in the Agency's Appropriations Acts, including needy cities; manages the Indian Set Aside program; provides financial assistance to meet construction needs of underserved and unserved communities such as the Alaskan Native Villages and the Colonias; provides program grants for technical assistance and information to small and disadvantaged communities; provides technical and financial assistance to small and disadvantaged communities; administers National Excellence Awards as recognition of POTW's outstanding Operation and Management (O&M); encourages pollution prevention and water use efficiency; allocates Border funds; coordinates with the Border Environment Cooperation Commission (BECC) and the NADBank on wastewater projects; and manages high priority Border projects in support of NAFTA and the Border Environment Agreement.
- 2) **STATE REVOLVING FUND BRANCH.** The State Revolving Fund Branch (SRFB), under the direction of a Branch Chief, directs the implementation of the Clean Water State Revolving Fund program; is responsible for managing the financial aspects of the Drinking Water State Revolving Fund program; and provides financial and information management expertise to the Office of Water, Congress and other stakeholders to strengthen the ability of the States, Tribes, and communities to finance water infrastructure and other water quality management activities. The Branch conducts a range of activities to accomplish its mission, including policy and legislative analysis, program operations support, financial and information management, and program monitoring and evaluation; provides advice and guidance on privatizing Federally funded wastewater treatment facilities; administers the

LAN for OWM, including user support and training, computer security, and year 2000 compliancy; and maintains the Internet and Intranet websites for the Office.

- 3) **MUNICIPAL TECHNOLOGY BRANCH.** The Municipal Technology Branch (MTB), under the direction of a Branch Chief, collects and maintains the data for the Clean Water Needs Survey and prepares the periodic reports to Congress; manages the national program to promote the safe and beneficial use of biosolids; provides scientific and technical expertise in the development of Agency policies and regulations regarding municipal wastewater treatment and wet weather flows; works closely with ORD and OST to develop, implement, and monitor research and development support for municipal wastewater treatment activities; develops and provides technical guidance, assistance, training and other information necessary for the cost effective management of community water resources; manages programs to evaluate both conventional and innovative/alternative technologies, as well as technologies which deal with infiltration/inflow correction, small alternative wastewater treatment systems, biosolids and toxic management and industrial pretreatment.
- c. **PERMITS DIVISION.** The Water Permits Division, under the supervision of a Director: provides national program direction to the National Pollutant Discharge Elimination System (NPDES) permit, pretreatment, and sewage sludge management programs under sections 401, 402, and 405 of the Clean Water Act, including: development of regulations, policy and guidance, development of national strategies, implementation management, compliance assurance and overview of regional and State operation; develops and coordinates regulations, national policy, priorities and strategies for developing, approving, implementing, modifying and overseeing state NPDES, pretreatment, and sludge management programs; reviews State applications for administration of the NPDES, pretreatment, and sludge management programs and major modifications to approved State programs; provides program direction to the national pretreatment program including local pretreatment program development, review, and implementation; reviews and redesigns the NPDES, pretreatment, and sludge management programs to be responsive to statutory and court ordered mandates and changes in Agency policy; develops model approaches for management of the NPDES program which consider changes in national priorities (such as water quality-based controls and the watershed approach); and develops new and unique policies, methods, procedures, or types of permits for controlling combined sewer overflows, sanitary sewer overflows, run-off of storm water from industry, commerce and cities, confined animal feedlots, mines, and other water pollution sources.

The Division also coordinates with the Office of Science and Technology (OST) in the development of national standards for point source controls, indirect dischargers, and sludge use and disposal which are implemented through the NPDES, pretreatment and sludge management programs; provides technical support and training to regions and states for all aspects of the NPDES permit, pretreatment, and sludge management programs; oversees regional and State performance in implementing the NPDES permit, pretreatment, and sludge management programs; develops and coordinates national NPDES policy, priorities and strategies and regulatory changes necessary to reflect the RCRA and CERCLA responsibilities of the Office of Water; works closely with the ORD to develop, implement and monitor research and development support for NPDES permit, sludge management and pretreatment activities, in cooperation with OST; develops and revises NPDES permit application forms.

The Immediate Office of the Director determines national policy, management direction, and coordination of the NPDES Permit Program under the Clean Water Act. The Office manages the operational and administrative functions of the Division. Responsible for managing both internal and external communications within the Division and Headquarters and with regions, States, and the public/customers/interest groups through various mechanisms including the NPDES Policy Compendium and the OWM home page. Coordinates congressional affairs and legislative issues involving CWA amendment proposals and other environmental legislation, including analyses and preparation of issue papers, briefing documents and testimony. Directs Division strategic planning to incorporate Government Performance and Results Act (GPRA) objectives, Office of Water National Program guidance, and other environmental performance and accountability initiatives such as the Clean Water Action Plan. Maintains accountability

through operating plan for Division. Coordinates overall Division activities in areas of reinvention, enforcement, regulation management, and ICR development. Directs Division administration of resources and internal operating policies and procedures including records management and human resources development and management. Responsible for development and management of Division budgets. Oversees contract and grant activities including division acquisition strategy, procurement process, submission of grant proposals, and contract and grant administration.

- 1) **THE MUNICIPAL BRANCH.** The Municipal Branch, under the direction of a Branch Chief, is primarily responsible for the development and implementation of national programs and policies that affect municipalities: the General Pretreatment and Sludge State Program Regulations and municipal portions of wet weather Regulations and Policies; the establishment of national guidance, strategies, and priorities for the implementation of these regulations and policies; oversight of Regional and State pretreatment, sludge, and municipal wet weather programs, as well as about 1500 local pretreatment programs. For wet weather programs, the Branch provides national direction for and oversight of the National Combined Sewer Overflow (CSO) Policy, Sanitary Sewer Overflow requirements, and municipal portions of the Storm Water Phase I and Phase II rules, including municipal separate storm sewer system permits for major municipal sources (MS4) and 4000 to 6000 Phase II municipalities. In addition, the Branch is responsible for cross-media impacts that affect municipalities, such as air and RCRA issues, and municipal pollution prevention activities.

Provides liaison with other appropriate Federal, State, interstate, and local agencies in the formulation of policy, procedures, program priorities, resource requirements, and regulatory requirements for effective pretreatment, sludge, and municipal wet weather program implementation; including providing training and other technical guidance to effectively implement the national programs. Develops and coordinates national policy, priorities, and strategies for developing approving, implementing, modifying, reinventing, and overseeing State pretreatment and sludge programs. Reviews State submissions and recommends action on State applications to administer the pretreatment and sludge programs.

Develops and implements national policy, priorities, and strategies for establishing implementing, upgrading, and overseeing local pretreatment programs. This involves: local pretreatment program development, approval, modification, and oversight; adoption of effective local limits consistent with national guidance on controlling toxics and the availability of categorical standards; implementation of hazardous waste controls; and auditing of local pretreatment programs. Coordinates NPDES and pretreatment programs with RCRA, CERCLA, CAA, and pollution prevention activities. Assists in determining strategies and approaches for promoting watershed approaches by municipal entities, particularly to implement municipal-oriented TMDLs.

- 2) **THE INDUSTRIAL BRANCH.** The Industrial Branch, under the direction of a Branch Chief, is primarily responsible for the development and implementation of the industrial technology-based permitting program, the industrial and construction storm water programs, cooling water intake structures regulations, and industrial multi-media issues.

Provides guidance and assistance to EPA Regions and NPDES States for interpreting effluent limitation guidelines regulations and establishing limitations on a case-by-case basis in the absence of regulations for specific pollutants. Provides national direction and technical assistance to EPA Regions and NPDES States on permit issuance for on-shore and off-shore oil and gas facilities. Oversees regulations covering EPA Regional determinations to approve requests from industrial NPDES permittees for variances from technology-based requirements. Coordinates with the Engineering and Analysis Division of the Office of

Science and Technology on development and implementation of effluent limitation guidelines.

Develops and coordinates overall national policy, priorities and strategies, and any necessary changes to the industrial and construction storm water phase I and phase II permit regulations. Provides liaison with other appropriate Federal, interstate, State and local agencies in the formulation of policy, procedures, program priorities, resource requirements, and regulatory requirements for effective storm water implementation. Develops and provides oversight of the construction, multi-sector and modified multi-sector general permits for the storm water program.

- 3) **THE RURAL BRANCH.** The Rural Branch, under the direction of a Branch Chief, is primarily responsible for the development and implementation of national programs and policies relating to point sources of a rural nature, including permitting programs or Agency strategies for animal feeding operations, mining, forest roads, silviculture, and other rural point source issues.

Provides liaison with other appropriate Federal, State, interstate, and local agencies in the formulation of policy, procedures, program priorities, resource requirements, and requirements for point sources of a rural nature. Has the lead for the Division in working with the Department of Agriculture on implementation of the Unified National Strategy for Animal Feeding Operations. Works with States and Regions to issue NPDES permits to all concentrated animal feeding operations (CAFOs) including requirements to develop and implement comprehensive nutrient management plans. Revises existing permitting regulations in close cooperation with revisions to feedlots effluent guidelines.

Develops and coordinates, in cooperation with other federal agencies and States, an overall national policy, priorities and strategies to address the environmental concerns associated with hardrock and coal mining and reining activities. Coordinates with the Department of Interior on the Surface Mining Control and Reclamation Act activities. Works on implementation of Hardrock Mining Framework and issues regarding valley fills and remediation of abandoned mines.

Develops and coordinates Agency policy regarding water quality impacts of forest roads on federal lands. Leads efforts to determine if and how the NPDES permitting regulations should be revised to ensure that forest roads are constructed and maintained with appropriate best management practices to ensure that water quality is protected. Conducts activities such as pilot programs for forest roads on federal lands to apply agreed-upon mechanisms (e.g., general permits) to selected sites.

Coordinates with nonpoint source program to ensure that NPDES program is used in conjunction with nonpoint source activities to achieve water quality goals. Assists in determining strategies and approaches for promoting watershed approaches in rural setting, particularly to implement rural oriented TMDLs.

- 4) **THE STATE/REGIONAL BRANCH.** The State/Regional Branch, under the direction of a Branch Chief, is primarily responsible for the development and interpretation of the NPDES Regulations and NPDES program implementation guidance, overall oversight of Regional and State NPDES programs, State and Tribal program authorization, water quality-based and watershed permitting, NPDES aspects of TMDL implementation, and permit issuance and training.

Develops and coordinates overall national policy and any necessary changes to the NPDES permit regulations and State programs including changes necessary to implement water

quality standards, streamlining the permit process, implementation of electronic reporting, and effluent monitoring burden reduction. Develops and coordinates national policies and tracking of administrative appeals of NPDES permits and EPA objections to State issued permits. Provides support and regulatory interpretation on all NPDES Regulation issues.

Develops and coordinates national policy, priorities and strategies for oversight of State NPDES programs. Provides basic and advanced NPDES training for permit writers, permit holders, and other key stakeholders. Reviews (in conjunction with the Office of General Counsel) and recommends action on State applications to administer the NPDES permit program or to modify approved State NPDES programs and on petitions to withdraw State programs. Reviews “treatment as a State” applications from Indian Tribes for NPDES programs.

Coordinates with other Federal agencies on related permit programs and other Federal laws and Executive Orders, including the Department of Interior on the Endangered Species Act, the Advisory Council for Historic Preservation on the National Historic Preservation Act, and Coast Guard (as well as other OW Offices) on invasive species.

Develops the NPDES program for water quality-based permitting, prepares guidance, and provides training necessary to ensure its successful implementation. This involves addressing water quality standards-to-permits issues, implementing total maximum daily loads (TMDLs), and implementing whole effluent toxicity monitoring requirements, permit limits, and reduction procedures. Assesses State water quality-based toxics control programs and addresses the Great Lakes Initiative issues. Takes a lead role in assessing how to implement the NPDES program on a watershed basis, including development of watershed permits.

Coordinates with other OW offices on TMDL program development and implementation, watershed management, discharges to near coastal and marine waters, water quality standards development and implementation, and exposure analyses. Coordinates with the Office of Enforcement and Compliance Assurance on PCS modernization and implementation.

6. **OFFICE OF WETLANDS, OCEANS, AND WATERSHEDS.** The Office of Wetlands, Oceans and Watersheds (OWOW), under the supervision of the Office Director, is responsible to the Assistant Administrator for Water for developing, as needed, policies, strategies, regulations and guidance for the protection of the environment which uses a variety of relevant authorities contained in the Clean Water Act (CWA), Marine Protection Research and Sanctuaries Act (MPRSA), Ocean Dumping Ban Act (ODBA), Shore Protection Act (SPA), Marine Plastic Pollution Research and Control Act (NPPRCA), Coastal Zone Management Act (CZMA), and Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA); the control of discharges of dredged and fill material into wetlands and other waters of the United States under Section 404 of the Clean Water Act and Section 103 of MPRSA; State conservation plans and programs to protect wetlands, including programs to assume Section 404 authority from the Federal government; the evaluation of 301(h) waivers; ocean dumping permits and site designation program; 403(c) discharge criteria program and other implementation programs which impact the marine environment; the assessment and monitoring of surface water; the identification and listing of problem water-bodies under CWA Sections 303(d) and 304(1); the implementation and management of the Total Maximum Daily Load (TMDL) program to determine needed levels of water quality based controls for point sources and non-point sources; and the management of the Non-point Source program (NPS), including CWA Section 319; the management of the Clean Lakes program, including CWA Section 314; the management of the National Estuary (CWA, Section 320) and Near Coastal Waters programs.

The Office is responsible for the management of the Ocean Survey Vessel Peter W. Anderson (20SV P.W. Anderson) and its associated monitoring/public education activities; the development and implementation of a national marine debris program; serving as the principal spokesperson and point of contact for the protection and management of: wetlands and similar and/or closely associated habitats (such as riparian habitats, mud or sand flats), lakes and river corridors, vegetated shallows, estuarine

and marine waters priority watersheds; providing assistance to the Regions for: 301(h) permit re-issuance concerns about balanced indigenous populations, 301(h) waivers to marine waters, 312 marine sanitation device program, 314 Clean Lakes programs, 319 NPS programs, 320 National Estuary program, surface water monitoring and assessment programs, 403(c) discharge criteria, ocean dumping permits, Section 404 activities, advance identification, non-regulatory wetlands protection, identification and assessment of coastal pollution problems and their causes, site designation, management and monitoring for ocean dumping, Chesapeake Bay, Gulf of Mexico and Great Lakes program activities, and research and emergency dumping developing and applying environmental indicators for water quality and habitat protection; providing policy oversight for the Great Lakes National Program Office, on Office of Water issues, including the review of budget and work-plans; and developing Reports to Congress on: status of Ocean Dumping programs under the MPRSA, Biennial Report on the National Estuary Program (NEP), CWA Sections 305(b), 314 and 319, Shore Protection Act, Annual Reports on 1) Monitoring and 2) Progress to Stop Dumping under the Ocean Dumping Ban Act, and marine debris.

The Office is responsible for providing overall EPA direction and leadership in the implementation of the EPA strategic plan for the protection of wetlands, coastal areas and priority watersheds, any amendments to that plan, and similar plans or strategies developed in the future; maintaining liaison on issues involving OW responsibility: within EPA, with other Federal Agencies, with States and local governments, with industry, with environmental, and other interest groups on issues; providing technical and financial support to the international community, in consultation with the Office of International Activities (OIA); implementing the EPA/OW Quality Assurance/Quality Control Program to ensure that all environmentally related measurements are of known and defensible quality; data quality requirements are specified to meet our customers' needs and program objectives; QA/QC requirements are addressed in regulatory development; QA/QC is performed by each division in full conformance with EPA policy and the Office's QA/QC Program; and developing and implementing administrative activities such as: budget and budget-related activities and analyses, workload models, operating guidance, and all other administrative services.

- a. **POLICY, COMMUNICATIONS, AND RESOURCE MANAGEMENT STAFF.** The Policy, Communications and Resource Management Staff (PCRMS), under the supervision of a Staff Director, serves as principal staff to the Office Director on matters relating to policy, budget, administration, management, strategic planning, and legislation. PCRMS has championed the watershed approach for the last seven years among other federal partners, states, tribes, local governments and other stakeholders. It helps to sponsor major national watershed conferences such as Watershed 1993 and Watershed 1996. PCRMS promotes the integration of environmental programs to further the watershed approach. Much of its work created the foundation for the watershed framework that is a central tenet of the Clean Water Action Plan. PCRMS plays a lead role in several major OW/White House Initiatives including the American Heritage Rivers Initiative, the Clean Water Action Plan, and the Adopt Your Watershed Project (OW Initiative). Staff prepare Congressional testimony and other appropriate analysis as requested by the Office Director. PCRMS manages budget processes for OWOW, including development, implementation and oversight. Integral to budget planning and execution is the related function of coordinating the Office's Government Performance and Results Act (GPRA) responsibilities, through which PCRMS ensures incorporation of program priorities into annual program plans and evaluations. PCRMS provides oversight of OWOW's human resources management and training, facilities management, LAN administration, and OWOW's Federal Managers' Financial Integrity Act (FMFIA) responsibilities. PCRMS also performs other support functions as necessary.
- b. **ASSESSMENT AND WATERSHED PROTECTION DIVISION.** The Assessment and Watershed Division (AWD), under the supervision of a Director, develops and implements surface water quality assessment and monitoring programs; manages a national program for controlling non-point source pollution, including national program manager for CWA Section 319 programs; develops policies/priorities for Section 319 State NPS grants; manages the allocation process and tracking of Section 319 grants; guides and directs, through development of policies, drafting of guidance, and provision of technical assistance, surface water quality assessment programs, monitoring programs, waste-load allocation/total maximum daily load programs, and water quality inventory reporting; and develops and/or conducts outreach activities, technical assistance, and technical transfer. Coordinates with and supports OST's and others' (including ORD's) development of scientific and engineering tools for addressing point and non-point source problems to support EPA Regions, other Federal agencies, States, localities, landowners, and the public, in developing needed baseline and water quality based watershed controls; works directly with USDA (SCS, ES, ASCA and FS)

to assure that the President's Water Quality Initiative assists State Watershed management priorities; coordinates national monitoring and non-point source implementation activities with other OW offices, ORD, and other Federal and State agencies; prepares reports to Congress, as needed, on CWA Sections 319 and 314; prepares assessments of national water quality, including Section 305(B) reports; coordinates with a broad range of Federal Agencies on water quality assessment, data systems and NPS, including USDA, Forest Service, USGS and BLM; and coordinates with NOAA on Coastal Zone Management Act of 1990, Section 319 interrelationships. Implements the Quality Assurance/Quality Control Program responsibilities specified in the Office's QA/QC Program plan.

The Division recommends priorities for control programs in conjunction with other OW offices; is responsible for assisting States and Regions in implementing watershed non-point source and targeting/assessment activities as part of the OW Watershed Initiative; serves as a general point of coordination within the OW for surface water assessment activities, with USGS on NAWQA, and with ORD on surface water aspects of EMAP; manages national clearinghouses on NPS and Clean Lakes; chairs/provides staff support for OW's Steering Committee on Water Quality Data Systems; develops and implements a strategy for data management; manages computerized water quality information systems, including STORET, WBS, BIOS, ODES; develops and manages databases and analysis programs to assist in performing water quality assessments and evaluations; coordinates activities within this office to encourage citizen/landowner involvement in watershed protection; manages implementation of the National Clean Lakes Program Section (314), including providing guidance, technical assistance, and grants management and tracking; develops and implements national education/outreach activities concerning monitoring and non-point source activities; maintains/enhances the River REACH File as a key component of Agency GIS; develops and assists Regions/States in applying priority targeting mechanisms for identifying such problem water-bodies and developing needed controls; and provides program direction and guidance on identifying and listing of problem waters/water-bodies required by CWA Sections 303(d) and 304(1). The division recommends priorities for control programs in conjunction with other OW offices; responsible for assisting States and Regions in implementing watershed non-point source and targeting/assessment activities as part of the OW Watershed Initiative; serves as a general point of coordination within the OW for surface water assessment activities, with USGS on NAWQA, and with ORD on surface water aspects of EMAP; manages national clearinghouses on NPS and Clean Lakes; chairs/provides staff support for OW's Steering Committee on Water Quality Data Systems; develops and implements a strategy for data management; manages computerized water quality information systems, including STORET, WBS, BIOS, ODES; develops and manages databases and analysis programs to assist in performing water quality assessments and evaluations; coordinates activities within this office to encourage citizen/landowner involvement in watershed protection; manages implementation of the National Clean Lakes Program Section (314), including providing guidance, technical assistance, and grants management and tracking; develops and implements national education/outreach activities concerning monitoring and non-point source activities; maintains/enhances the River REACH File as a key component of Agency GIS; develops and assists Regions/States in applying priority targeting mechanisms for identifying such problem water-bodies and developing needed controls; and provides program direction and guidance on identifying and listing of problem waters/water-bodies required by CWA Sections 303(d) and 304(1).

- 1) **MONITORING BRANCH.** The Monitoring Branch (MB) is responsible for national program management of EPA's ambient surface water quality monitoring assessment, and information programs and reports on the nation's waters, including a 2-year water quality report to Congress, as authorized by Section 305(b) of the Clean Water Act (CWA). This program defines water quality monitoring goals, develops guidance and protocols, and provides information on the nation's water quality for decision-makers and the public. The branch provides an effective education/outreach program to enhance public awareness of water quality and encourage volunteerism in water quality monitoring. The Branch provides the tools to support these activities, such as the reengineered STORET System, the Water Body System, GIS compatible data layers, and Reach Indexing. The Monitoring Branch develops monitoring and assessment methodologies, technical assistance programs for biological monitoring and assessment and volunteer monitoring, and also leads the efforts

for the development and implementation of environmental indicators for measuring achievement of national water program goals. The Branch coordinates these activities with other Office of Water and EPA offices, Regions, States, Tribes, other Federal agencies and private organizations.

- 2) **NONPOINT SOURCE CONTROL BRANCH.** The Nonpoint Source Control Branch (NPSCB), under the supervision of a Chief, implements the national nonpoint source pollution control program under Section 319 of the Clean Water Act. Under this authority, the NPSCB guides and participates with EPA's regional offices in the review and approval of State nonpoint source management programs. EPA directs the process for the award of grant funds to States under Section 319. EPA also co-administers, with the National Oceanic and Atmospheric Administration, the implementation of the coastal nonpoint pollution control program under the Coastal Zone Act Reauthorization Amendments of 1990, under which EPA establishes management measures to which the State programs must conform and co-approves with NOAA the coastal States' CZARA programs. EPA also provides a broad range of policy, technical and program guidance to promote the best approaches to identifying and solving nonpoint source pollution problems. NPSCB works in partnership with our many Federal, State, local, private-sector, and citizens-group partners to promote awareness of and solutions to nonpoint pollution problems.
 - 3) **WATERSHED BRANCH.** The Watershed Branch develops regulations and guidance and provides technical assistance, information, and training on a wide range of watershed management activities. These activities include development and distribution, through training, documents and a website, of information on technical and institutional aspects of watershed management. Such activities include case studies on watershed, river, stream and lake restoration, and information on funding watershed projects, cumulative effects, and effluent trading. The Branch provides facilitation and training on watershed approaches for States, Tribes, and local groups. Working with the Regions, the Branch supports watershed management in selected geographic areas, e.g., Mississippi River Watershed. The Branch is also responsible for the Total Maximum Daily Load (TMDL) program section 303(d) of the Clean Water Act. TMDLs are the analytic underpinning for watershed decisions and provide a critical tool for implementing clean water goals and achieving State water quality standards. The Branch develops regulations and guidance to States on the development of 303(d) lists and TMDLs, and provides technical assistance, tools, training, and financial assistance in support of States and Tribes.
- c. **OCEANS AND COASTAL PROTECTION DIVISION.** The Oceans and Coastal Protection Division (OCPD), under the supervision of a Director, develops regulations, guidance, policy and direction for 301(h) treatment requirement waivers, 403 discharge criteria, 312 marine sanitation device program, site designation, management and monitoring for ocean dumping, marine debris program, ocean dumping permits, incineration at sea activities, Shore Protection Act Activities, 320 National Estuary Program, and Near Coastal Waters Program; provides support to the Regions for all programs managed by the Division; issues ocean dumping permits and site designations for materials not delegated to the Regions, such as incineration-at-sea; operates the OSV P.W. Anderson and provides technical support for carrying out its missions, which include developing national ocean survey plans; provides technical assistance on international targeted coastal and ocean activities including London Dumping Convention and MARPOL, in consultation with OIA; works with the Office of Science and Technology (OST), the Office of Research and Development (ORD), and the Regions to develop an overall framework for coastal and marine ecological risk assessment using guidance documents and assessments completed under these programs; coordinates with CWA Section 404 program to assure programmatic and technical consistency in dredged material disposal activities; works closely with the Corps of Engineers in developing a long-term strategy the management of dredged material; supports the development of a national Coastal and Marine Policy; develops and implements a national marine debris program, including assessment of sources and fate of debris and control and monitoring programs; administers the NEP which includes receiving and evaluating governor nominations, convening Management

Conferences, negotiating multi-year State/EPA agreements, monitoring progress, reviewing annual work-plans and approving Comprehensive Conservation and Management Plans; selects, monitors and reports Action Demonstration Projects under the National Estuary and Near Coastal Water Programs; prepares the Biennial Report on the NEP and the Annual Ocean Dumping Report to Congress, and ODBA Reports to Congress on Progress and Monitoring Results; and implements the National Oceanic and Atmospheric Administration (NOAA) /EPA Memorandum of Agreement on the National Estuary and Coastal Zone Management Programs, which includes developing regulations and guidelines to implement provisions of the Coastal Zone Management Act of 1990 with NOAA. Implements the Quality Assurance/Quality Control Program responsibilities specified in the Office's QA/QC Program plan.

The Division manages marine and coastal enforcement program to ensue control and regulation of sludge, dredge and marine debris material and provides training and guidance to Regions and assists States in implementing strong enforcement presence in NEPs or other special marine and coastal ecosystems; provides technical support to the Regions and coastal States in identifying and assessing the nature and extent of coastal pollution problems and their causes and to develop and implement Regional/State Near Coastal Water Strategies; provides assistance to and evaluates the progress of the Chesapeake Bay, Gulf of Mexico and Great Lakes programs; ensures information transfer among the NEP, the Chesapeake Bay, Gulf of Mexico and Great Lakes programs, and the Near Coastal Waters program on a regional, geographic, and national level by developing and improving information transfer tools and techniques. These include newsletters, computer bulletin boards, reports, success stories, training, workshops and conferences. Collaborates with the OST to identify necessary scientific and technical tools to address coastal pollution problems and the management of coastal resources; collaborates with OST to ensure development of water and sediment criteria, toxicity test protocols, waste-load allocations, improved modeling and monitoring capabilities, biological monitoring tools, human and ecological risk assessment methods for coastal and marine waters which are responsive to program implementation needs; implements a Federal Interagency Management Initiative with NOAA, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service to provide better protection of coastal living resources and their habitat; and fosters public education, outreach, and involvement, including maintaining and supporting citizen monitoring programs to further the goal of better protection of the coasts.

- 1) **MARINE POLLUTION CONTROL BRANCH.** Under the supervision of a Chief, develops regulations guidance, policy and direction for CWA 301(h) waivers to secondary treatment for municipal discharge to marine water, 403 discharge criteria, 312 marine sanitation device program, Uniform National Discharge Standards program; ocean dumping criteria, permits, site designation, management, and monitoring; marine debris program; coral reef protection activities; and Shore Protection Act activities. Provides support to the Regions for all programs managed by the Branch. Issues ocean dumping permits and site designations for material not delegated to the Regions; provides technical assistance on international targeted coastal and ocean activities including the London Convention of 1972 (ocean dumping) and MARPOL, in consultation with OIA; works with the Office of Science and Technology (OST), the Office of Research and Development (ORD) and the Regions to develop an overall framework for coastal and marine ecological risk assessment using guidance documents and assessments completed under these programs; coordinates with CWA section 404 program to assure programmatic and technical consistency in dredged material disposal activities; works closely with the Corps of Engineers in developing a long-term strategy for the management of dredged material; works closely with the US Navy and OST to develop national discharge standards for armed forces vessels; develops and implements a national marine debris program, including assessment of sources and fate of debris, control and monitoring; develops tools to assess the health of coral reef ecosystems; prepares the Annual Ocean Dumping Report to Congress; implements the Quality Assurance/Quality Control Program responsibilities in the Office's QA/QC Program Plan.
- 2) **COASTAL MANAGEMENT BRANCH** develops guidance, policy, regulations and direction for the National Estuary Program (NEP) and other coastal watersheds; provides

support to the Regions for all programs managed by the Branch; administers the NEP which includes receiving and evaluating governor nominations, convening management conferences, negotiating multi-year State/EPA agreements, monitoring progress, reviewing annual work-plans and (1) approving and (2) providing guidance and technical assistance for implementation of the Comprehensive Conservation and Management Plans; monitors and develops reports Action Demonstration Projects under the National Estuary and prepares the Biennial Report on the NEP. Assesses impacts of air pollution on coastal waters and identifies potential control mechanisms working with OAR.

- d. **WETLANDS DIVISION** The Wetlands Division (WD), under the supervision of a Director, develops regulations, policies and guidance to perform the following functions: provide environmental guidelines and regulations for discharges of dredged and fill materials in regulated waters under CWA Section 404(b)(1); restrict or prohibit the use of a discharge site under Section 404(c); enforce provisions which address discharges or dredged and fill materials under CWA Sections 301, 309 and 404; focus regulatory efforts on the most significant wetland problems through wetland priority lists and use of advance identification and other targeting/priority setting approaches; develop interagency agreements and guidance on procedures for resolving disagreements between EPA and the Corps of Engineers over proposed Section 404 discharges under Section 404(q); develop interagency agreements, guidance and regulations addressing the jurisdictional scope of waters of the United States regulated by the CWA; provide policy, technical support and assistance to the Regions on the review of proposed Section 10, Section 404 activities, Section 404(c) actions, Section 404(g) elevations, Section 404(f) exemptions, jurisdiction (including special cases), enforcement, and advance identification; develop information on wetlands and programs to protect wetlands; ensure transfer of information through workshops and conferences, a wetlands hotline, and reports and public information documents; conduct outreach efforts targeted to key State, local, and private interests; coordinate and support OST development of wetlands technical and programmatic tools such as water quality standards and biological criteria for wetlands, wetland restoration criteria, etc.; support, in conjunction with Region VI, implementation of new provisions of Coastal Wetlands Planning, Protection, and Restoration Act 1990; support development of State programs to protect and restore wetlands and related aquatic habitats, including State wetland conservation strategies, State funding mechanisms, Section 401 certification, implementation of adopted wetland water quality standards, and NPS programs applied to wetlands; manage grant/cooperative (or financial assistance) program to States for the development or improvement of programs; provide technical assistance, guidance, and technical transfer opportunities to provides assistance to other nations in protecting wetlands; and promote the development of international treaties and programs to increase protection of U.S. wetlands of international significance.

The Division contributes to the definition, implementation and tracking of the goal of "no net loss" of wetlands and, in the longer term, an increase in the quantity and quality of wetlands; develops and implements a program to protect the functional integrity or health of wetlands; develops methods and training opportunities to improve capabilities for managing wetlands; serves as a clearinghouse among the Regions for legislative, regulatory, and programmatic developments affecting wetlands; manages Sections 404 and 10 permit cases, jurisdictional special cases and 404(f) special matters, elevated to Headquarters under interagency agreements, and final determinations on 404(c) actions recommended by the Regions; monitors and evaluates implementation of the Section 404 Programs by the Regions; develops and implements an automated data base for the Section 404 permitting and enforcement programs; serves as Wetlands OWOW liaison with the Department of Army Corps of Engineers, the Fish and Wildlife Service, the National Marine Fisheries Service, the Federal Emergency Management Administration, the National Park Service, and the Office of Coastal Resource Management, NOAA; serves as liaison to the Office of Federal Activities on all matters relating to the Sections 404/10 regulatory programs, and the review of Federal projects/programs related to the Sections 404/10 programs, under section 309 of the Clean Air Act and the National Environmental Policy Act; serves as Associate Reviewer for Headquarters actions under Clean Air Act Section 309; develops a program of ecosystem initiatives for wetlands areas where EPA's program objectives will not be achieved absent a strategic plan specifically tailored to address identified problems; serves as liaison to water resource project agencies, including the Corps of Engineers, the Bureau of Reclamation, and the Soil Conservation Service, on water resource planning, and its relationship to EPA's authorities relating to the

Sections 404 and 10 programs; develops and administers a technical training program for EPA wetlands staff; develops and maintains wetlands data, information, and documentation on regulatory activities, dredging technology, dredge spoil disposal practices, and navigation and related engineering; and provides necessary information and support to the immediate office of the Office Director in the development of wetlands policy, budget and administrative functions.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 17 2014

MEMORANDUM

SUBJECT: Approval of Permanent Delegation of Authority 2-106, Gulf Coast Ecosystem Restoration Council, Gulf Coast States Act of 2012

FROM: Gina McCarthy

TO: Lisa Feldt, Acting Deputy Administrator

I hereby delegate authority, as described below, related to the Gulf Coast Ecosystem Restoration Council, Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012. This delegation will remain in effect from the date it is signed unless it is superseded by a subsequent directive.

2-106. Gulf Coast Ecosystem Restoration Council, Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (1200 TN 624)

1. AUTHORITY.

To serve as the U.S. Environmental Protection Agency's designated member of the Gulf Coast Ecosystem Restoration Council, established under Clean Water Act Section 311(t)(2) as added by Section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012.

2. TO WHOM DELEGATED.

The Deputy Administrator.

3. LIMITATIONS.

The delegate or redelegatee will coordinate with the administrators for Regions 4 and 6 when exercising this authority.

4. REDELEGATION.

The authority listed in Section 1 has been delegated to the Deputy Administrator and may be redelegated to only the assistant administrator for the Office of Water and no further. An official who redelegates authority does not divest herself or himself of the power to exercise that authority, and any redelegations can be exercised by management officials within the chain of command to the lowest level of the delegated authority. An official who redelegates authority may revoke such redelegation at any time.

5. ADDITIONAL REFERENCES.

Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012; Pub. L. No. 112-141, Subtitle F, Section 1603, 126 Stat. 589 (July 6, 2012).



Temporary Delegation of Authority

September 12, 2007

MEMORANDUM

SUBJECT: One-time Delegation of Authority for the Purpose of Responding to a Petition Requesting EPA to Determine Pursuant to Section 303(c)(4)(B) of the Clean Water Act Whether the State of West Virginia Needs New or Revised Water Quality Standards for Mercury and Methylmercury

TO: Benjamin Grumbles
Assistant Administrator, Office of Water

I hereby delegate to you the authority to sign the Agency's decision responding to the March 2, 2005 petition submitted by the Ohio Valley Environmental Coalition and the West Virginia Highlands Conservancy requesting EPA to promulgate a revised methylmercury water quality criterion for the protection of human health and revised mercury criteria for the protection of aquatic life in West Virginia.

This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act. This authority may not be redelegated.

Stephen L. Johnson



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR - 8 2016

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Serve as Designated Natural Resource Trustee Official for the Deepwater Horizon Oil Spill

FROM: Gina McCarthy

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over the "FROM:" line.

TO: Joel Beauvais, Deputy Assistant Administrator
Office of Water

I delegate to you, as the deputy assistant administrator for the Office of Water, the authority to serve as the U.S. Environmental Protection Agency's Designated Natural Resource Trustee Official for the Deepwater Horizon oil spill. This temporary delegation of authority will remain in effect until terminated. The temporary delegation of authority to Ken Kopocis is terminated.

Temporary Delegation of Authority to serve as the U.S. Environmental Protection Agency's Designated Natural Resource Trustee Official for the Deepwater Horizon Oil Spill.

1. AUTHORITY. To represent the EPA on the Deepwater Horizon Oil Spill Natural Resource Damage Trustee Council and make decisions regarding natural-resource-damage assessment and restoration in connection with injury to, destruction of, loss of, or loss of use of natural resources resulting from the Deepwater Horizon oil spill, including implementing natural-resource-damage provisions of any consent decree and any applicable memorandum of understanding.

2. TO WHOM DELEGATED. The authority is delegated to Joel Beauvais, the deputy assistant administrator for the Office of Water.

3. LIMITATIONS. The delegation of this authority does not divest anyone in the chain of command through the delegatee from the power to exercise this authority. The Designated Natural Resource Trustee Official will consult with the assistant administrator for the Office of Water in exercising this authority.

4. REDELEGATION. To assist in carrying out the Designated Natural Resource Trustee Official's duties and responsibilities including those set forth in any consent decree and any memorandum of understanding relating to the natural-resource-damage assessment and restoration resulting from the Deepwater Horizon oil spill, I designate:

- a. Ben Scaggs, director of the Gulf of Mexico Program, to serve as alternate Designated Natural Resource Trustee Official, including alternate Trustee Council representative and alternate Executive Committee representative; and

- b. Mary Kay Lynch, Environmental Appeals Board judge, to serve as alternate designated Natural Resource Trustee Official, including alternate representative to the Trustee Council and Executive Committee.

5. ADDITIONAL REFERENCES.

- a. Executive Order 13626, "Gulf Coast Ecosystem Restoration."
- b. Executive Order 12777, "Implementation of Section 311 of the Federal Water Pollution Control Act of October 18, 1972, as amended, and the Oil Pollution Act of 1990."
- c. Clean Water Act Section 311.
- d. Oil Pollution Act Section 1006.
- e. 40 CFR 300, Subpart G, "Trustees for Natural Resources."
- f. 15 CFR 990, Subpart E, "Oil Pollution Act Regulations."

Moritz, Brigitte

From: Wachter, Eric
Sent: Monday, April 11, 2016 11:17 AM
To: Beauvais, Joel
Subject: Temporary delegation of authority
Attachments: OARM-16-000-6370.pdf

Hi, Joel,

Please see the attached memorandum from the Administrator. Thank you.

Eric E. Wachter
Director, Office of the Executive Secretariat
U.S. Environmental Protection Agency
(202) 564-0507 office
(202) 596-0246 cell



Temporary Delegation of Authority

September 12, 2007

MEMORANDUM

SUBJECT: Temporary Delegation to Approve Cooperative Agreements for Water Security Initiative Contamination Warning System Demonstration Pilots

TO: Benjamin H. Grumbles
Assistant Administrator
Office of Water

You are hereby delegated the authority to take necessary actions to approve cooperative agreements for Water Security Initiative contamination warning system demonstration pilots authorized by Section 1434 of the Safe Drinking Water Act and to perform other activities necessary for the effective administration of those cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2008, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Water or its Component Offices. The authority granted to the Assistant Administrator for Water may be re-delegated to the Office Director level, or equivalent, and no further.

Stephen L. Johnson

September 30, 1999

MEMORANDUM

SUBJECT: One-Time Delegation of Authority to Approve Three National Community
Decentralized Wastewater Demonstration Grants Pursuant to P.L. 105-276

TO: Charles Fox, Assistant Administrator
Office of Water

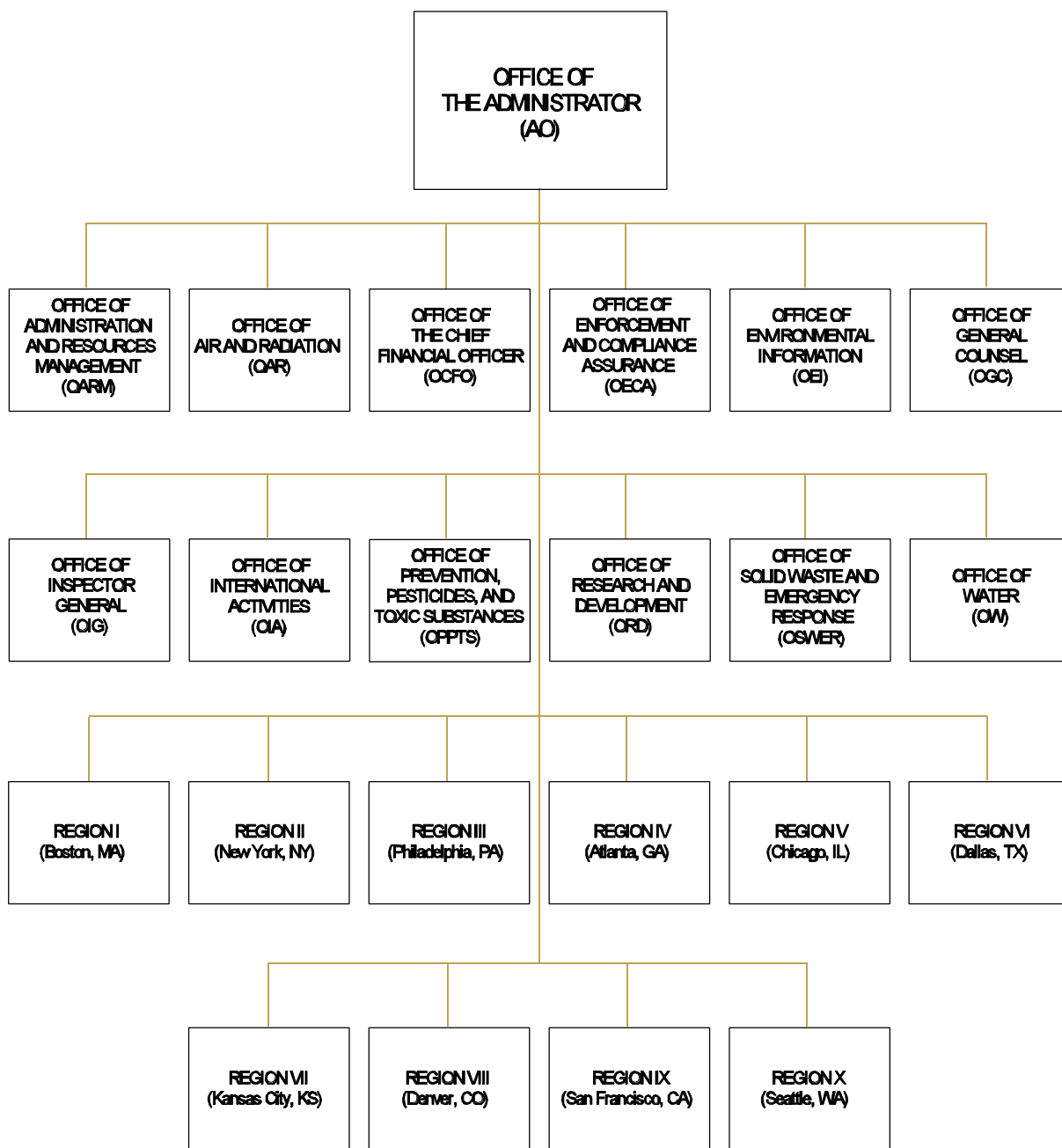
You are hereby delegated the authority to approve three national demonstration projects to implement decentralized wastewater systems in Oregon, Vermont and Rhode Island from funds authorized under the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1999, P.L. 105-276. This authority may be redelegated to the Office Director level and may not be redelegated further.

This is a one-time delegation of authority and it expires on December 31, 1999.

/s/
Carol M. Browner

AGENCY OVERVIEW

EPA ORGANIZATIONAL CHART



EPA MISSION AND PURPOSE

MISSION

The mission of the U.S. Environmental Protection Agency is to protect human health and to safeguard the natural environment — air, water, land — upon which life depends.

—EPA Strategic Plan, September 1997

PURPOSE

EPA's purpose is to ensure that:

- ! All Americans are protected from significant risks to human health and the environment where they live, learn and work.
- ! National efforts to reduce environmental risk are based on the best available scientific information.
- ! Federal laws protecting human health and the environment are enforced fairly and effectively.
- ! Environmental protection is an integral consideration in U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy.
- ! All parts of society — communities, individuals, business, state and local governments, tribal governments — have access to accurate information sufficient to effectively participate in managing human health and environmental risks.
- ! Environmental protection contributes to making our communities and ecosystems diverse, sustainable and economically productive.
- ! The United States plays a leadership role in working with other nations to protect the global environment.

—EPA Strategic Plan, September 1997

EPA SUMMARY FUNCTIONAL STATEMENTS

1. **GENERAL.** The Environmental Protection Agency (EPA) was established in the executive branch as an independent agency pursuant to Reorganization Plan No. 3 of 1970, effective December 2, 1970. The EPA was created to permit coordinated and effective governmental action on behalf of the environment. The EPA endeavors to abate and control pollution systematically, by proper integration of a variety of research, monitoring, standard setting, and enforcement activities. As a complement to its other activities, EPA coordinates and supports research and anti-pollution activities by State and local governments, private and public groups, individuals, and educational institutions. The EPA also reinforces efforts among other Federal agencies with respect to the impact of their operations on the environment, and it is specifically charged with making public its written comments on environmental impact statements and with publishing its determinations when those hold that a proposal is unsatisfactory from the standpoint of public health or welfare or environmental quality. In all, EPA is designed to serve as the public's advocate for a livable environment.
2. **OFFICE OF THE ADMINISTRATOR (AO).** The Office of the Administrator provides the overall supervision to the Agency. The Administrator is responsible to the President, and is assisted by the Deputy Administrator and staff offices including: Administrative Law Judges, Civil Rights, Small and Disadvantaged Business Utilization, Science Advisory Board, Executive Support, Executive Secretariat, Cooperative Environmental Management, Pollution Prevention Policy Staff, and Environmental Appeals Board. In addition, the Administrator is assisted by Associate Administrators for Congressional and Intergovernmental Relations, Communications, Education, and Media Relations and Policy, Economics, and Innovation.
3. **OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT (OARM).** The Office of the Assistant Administrator for Administration and Resources Management has primary responsibility for policy and procedures governing administrative services; environmental health and safety; facilities services; information resources management and automated data processing systems; grants management, debarment, and assistance agreements; human resources management and employee services; organizational and management analyses, consultation, and systems; procurement and contracts management.
4. **OFFICE OF AIR AND RADIATION (OAR).** The Office of the Assistant Administrator for Air and Radiation is responsible for the air activities of the Agency which include development of national programs, technical policies, and regulations for air pollution control; development of national standards for air quality, emission standards for new stationary sources, and emission standards for hazardous pollutants; technical direction, support and evaluation of Regional air activities; and provision of training in the field of air pollution control. Related activities include technical assistance to States and agencies having radiation protection programs and a national surveillance and inspection program for measuring radiation levels in the environment. This Office is responsible for comprehensive research efforts relative to acid rain; analysis of the impact of pollutants found at the working place; and the effects of global change.
5. **OFFICE OF THE CHIEF FINANCIAL OFFICER (OCFO).** The Office of the Chief Financial Officer, under the supervision of the Chief Financial Officer (CFO), is responsible for developing, managing, and supporting a goals-based management system for the Agency that involves strategic planning and accountability for environmental, fiscal, and managerial results; Agency-wide budget, resources management and financial management functions including program analysis and annual planning, budget formulation, preparation and execution; controls and systems for payroll and disbursements. The Office is the primary point of contact and manages Agency-wide internal controls, audit resolution and follow-up.
6. **OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE (OECA).** The Office of the Assistant Administrator for Enforcement and Compliance Assurance serves as the primary advisor to the Administrator in matters concerning enforcement, compliance assurance, and environmental-equity efforts; and provides the direction and review of all administrative, civil and criminal enforcement and compliance monitoring and assurance activities. The Office manages the national criminal enforcement program as well as regulatory, site remediation and federal facilities enforcement and compliance assurance programs. The Office manages both administrative and judicial activities in the enforcement and compliance programs; and provides case

preparation and investigative expertise for enforcement activities, through the National Enforcement Investigations Center (NEIC) to Headquarters, Regions and States.

7. **OFFICE OF ENVIRONMENTAL INFORMATION (OEI).** The Office of Environmental Information supports the Agency's mission of protecting public health and the environment by integrating high quality environmental information to make it useful for informing decisions, improving information analyses, documenting performance, and measuring success. The office, in consultation with its many different internal and external stakeholders and partners, establishes and oversees information policies and procedures to address the concerns of local, state, and federal government; tribes; the regulated community; interest groups; the general public; and EPA managers and staff.

8. **OFFICE OF GENERAL COUNSEL (OGC).** The Office of General Counsel provides legal service to all of the organizational elements of the Agency with respect to all programs and activities of the Agency, provides legal opinions, legal counsel, and litigation support; and assists in the formulation and administration of the Agency's policies and programs as legal advisor.

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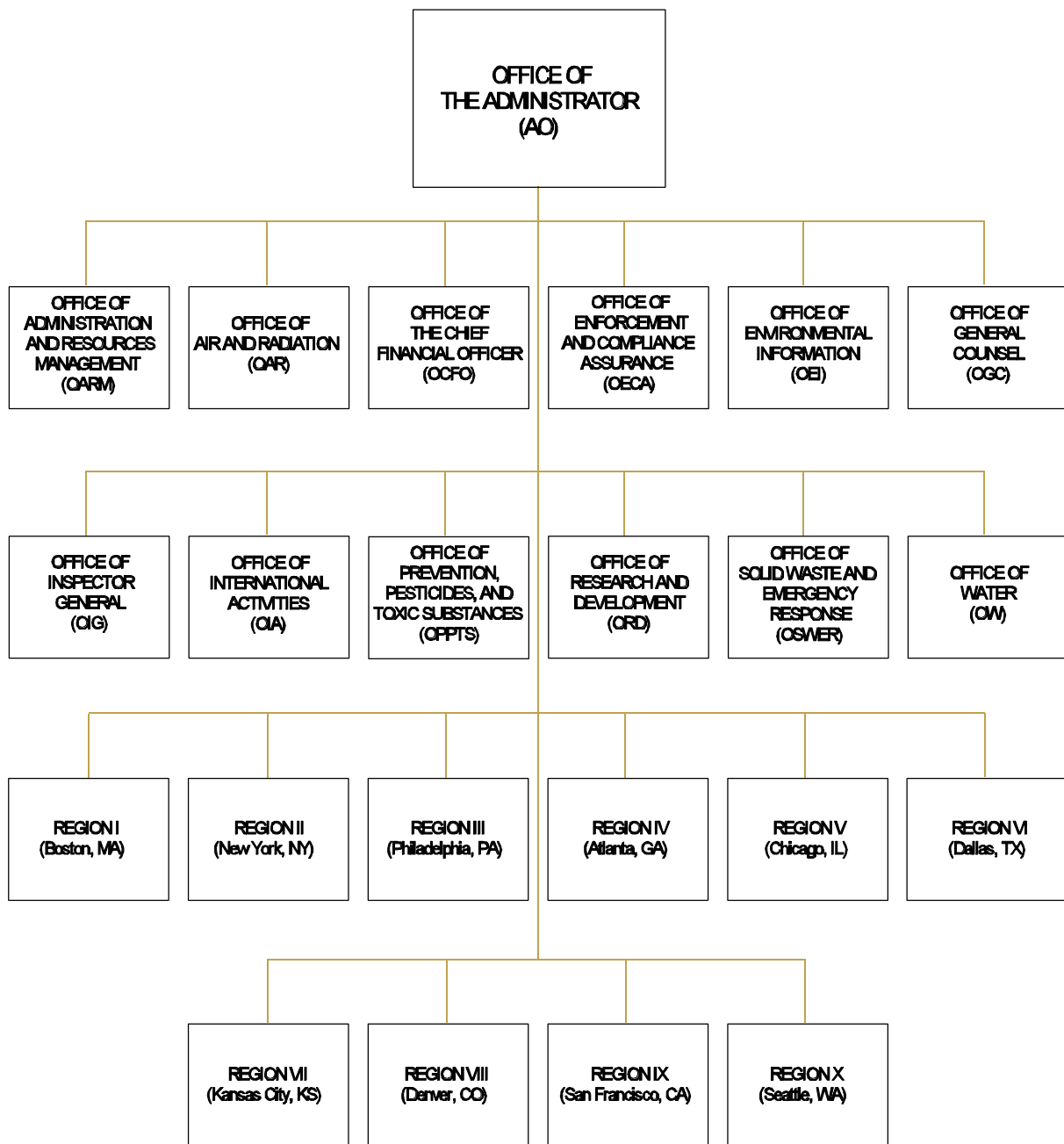
emergency response programs. This Office's responsibilities include: development of guidelines and standards for the land disposal of hazardous wastes and for underground storage tanks; technical assistance in the development, management, and operation of solid waste management activities; analyses on the recovery of useful energy from solid waste; development and implementation of a program to respond to hazardous waste sites and spills (including oil spills).

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15. **REGIONAL OFFICES.** Regional Administrators are responsible within the boundaries of their regions, for the execution of the programs of the Agency and such other responsibilities as may be assigned. Regional Administrators cooperate with Federal, state, interstate and local agencies, industry, and academic institutions, and other private groups to make sure regional needs are considered and Federal environmental laws implemented. Regional Administrators are responsible for developing, proposing, and implementing regional programs for comprehensive and integrated environmental protection activities; conducting effective regional enforcement and compliance programs; translating technical program direction and evaluation provided by various Assistant Administrators, Associate Administrators and Heads of Headquarters Staff Offices into effective operating programs at the Regional level, and assuring that such programs are executed efficiently; exercising approval authority for proposed State standards and implementation plans; and providing overall and specific evaluations of regional programs. EPA maintains its regional offices in the following cities: Region I in Boston; Region II in New York; Region III in Philadelphia; Region IV in Atlanta; Region V in Chicago; Region VI in Dallas; Region VII in Kansas City; Region VIII in Denver; Region IX in San Francisco; and Region X in Seattle.

AGENCY OVERVIEW

EPA ORGANIZATIONAL CHART



EPA MISSION AND PURPOSE

MISSION

The mission of the U.S. Environmental Protection Agency is to protect human health and to safeguard the natural environment — air, water, land — upon which life depends.

—EPA Strategic Plan, September 1997

PURPOSE

EPA's purpose is to ensure that:

- ! All Americans are protected from significant risks to human health and the environment where they live, learn and work.
- ! National efforts to reduce environmental risk are based on the best available scientific information.
- ! Federal laws protecting human health and the environment are enforced fairly and effectively.
- ! Environmental protection is an integral consideration in U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy.
- ! All parts of society — communities, individuals, business, state and local governments, tribal governments — have access to accurate information sufficient to effectively participate in managing human health and environmental risks.
- ! Environmental protection contributes to making our communities and ecosystems diverse, sustainable and economically productive.
- ! The United States plays a leadership role in working with other nations to protect the global environment.

—EPA Strategic Plan, September 1997

EPA SUMMARY FUNCTIONAL STATEMENTS

1. **GENERAL**. The Environmental Protection Agency (EPA) was established in the executive branch as an independent agency pursuant to Reorganization Plan No. 3 of 1970, effective December 2, 1970. The EPA was created to permit coordinated and effective governmental action on behalf of the environment. The EPA endeavors to abate and control pollution systematically, by proper integration of a variety of research, monitoring, standard setting, and enforcement activities. As a complement to its other activities, EPA coordinates and supports research and anti-pollution activities by State and local governments, private and public groups, individuals, and educational institutions. The EPA also reinforces efforts among other Federal agencies with respect to the impact of their operations on the environment, and it is specifically charged with making public its written comments on environmental impact statements and with publishing its determinations when those hold that a proposal is unsatisfactory from the standpoint of public health or welfare or environmental quality. In all, EPA is designed to serve as the public's advocate for a livable environment.
2. **OFFICE OF THE ADMINISTRATOR (AO)**. The Office of the Administrator provides the overall supervision to the Agency. The Administrator is responsible to the President, and is assisted by the Deputy Administrator and staff offices including: Administrative Law Judges, Civil Rights, Small and Disadvantaged Business Utilization, Science Advisory Board, Executive Support, Executive Secretariat, Cooperative Environmental Management, Pollution Prevention Policy Staff, and Environmental Appeals Board. In addition, the Administrator is assisted by Associate Administrators for Congressional and Intergovernmental Relations, Communications, Education, and Media Relations and Policy and Reinvention.
3. **OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT (OARM)**. The Office of the Assistant Administrator for Administration and Resources Management has primary responsibility for policy and procedures governing administrative services; environmental health and safety; facilities services; information resources management and automated data processing systems; grants management, debarment, and assistance agreements; human resources management and employee services; organizational and management analyses, consultation, and systems; procurement and contracts management.
4. **OFFICE OF AIR AND RADIATION (OAR)**. The Office of the Assistant Administrator for Air and Radiation is responsible for the air activities of the Agency which include development of national programs, technical policies, and regulations for air pollution control; development of national standards for air quality, emission standards for new stationary sources, and emission standards for hazardous pollutants; technical direction, support and evaluation of Regional air activities; and provision of training in the field of air pollution control. Related activities include technical assistance to States and agencies having radiation protection programs and a national surveillance and inspection program for measuring radiation levels in the environment. This Office is responsible for comprehensive research efforts relative to acid rain; analysis of the impact of pollutants found at the working place; and the effects of global change.
5. **OFFICE OF THE CHIEF FINANCIAL OFFICER (OCFO)**. The Office of the Chief Financial Officer, under the supervision of the Chief Financial Officer (CFO), is responsible for developing, managing, and supporting a goals-based management system for the Agency that involves strategic planning and accountability for environmental, fiscal, and managerial results; Agency-wide budget, resources management and financial management functions including program analysis and annual planning, budget formulation, preparation and execution; controls and systems for payroll and disbursements. The Office is the primary point of contact and manages Agency-wide internal controls, audit resolution and follow-up.
6. **OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE (OECA)**. The Office of the Assistant Administrator for Enforcement and Compliance Assurance serves as the primary advisor to the Administrator in matters concerning enforcement, compliance assurance, and environmental-equity efforts; and provides the direction and review of all administrative, civil and criminal enforcement and compliance monitoring and assurance activities. The Office manages the national criminal enforcement program as well as regulatory, site remediation and federal facilities enforcement and compliance assurance programs. The Office manages both administrative and judicial activities in the enforcement and compliance programs; and provides case

preparation and investigative expertise for enforcement activities, through the National Enforcement Investigations Center (NEIC) to Headquarters, Regions and States.

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Temporary Delegation of Authority

September 26, 2008

MEMORANDUM

SUBJECT: Temporary Delegation to Approve Cooperative Agreements for Water Security Initiative Contamination Warning System Demonstration Pilots

TO: Assistant Administrator,
Office of Water

You are hereby delegated the authority to take necessary actions to approve cooperative agreements for Water Security Initiative contamination warning system demonstration pilots authorized by Section 1434 of the Safe Drinking Water Act and to perform other activities necessary for the effective administration of those cooperative agreements.

This temporary delegation of authority will remain in effect until September 30, 2009, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. Awards are subject to guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, or by the Office of Water or its Component Offices. The authority granted to the Assistant Administrator for Water may be re-delegated to the Office Director level, or equivalent, and no further.

/s/

Stephen L. Johnson



Temporary Delegation of Authority

TOXIC SUBSTANCES CONTROL ACT (TSCA)

Temporary Delegation Related the Accreditation of Renovation Training Providers Under the 2008 Lead Renovation, Repair, and Painting (RRP) Rule

1200 TN 432
05/21/2009

1. **AUTHORITY.** To carry out the functions and responsibilities related to the accreditation of training providers of lead-based paint renovation, repair and painting activities pursuant to the Lead RRP Rule in 40 CFR part 745, Subpart E. This specifically includes, but is not limited to, the authority:
 - a. To grant or deny accreditation or reaccreditation in States or Indian Country without authorized Lead Renovation, Repair, and Painting Accreditation and Certification Programs under the Toxic Substances Control Act (TSCA), Title IV, §404 to training programs offering courses in either of the following disciplines: renovator or dust sampling technician; and
 - b. To suspend, revoke or modify training programs in States or Indian Country without authorized Lead Renovation, Repair, and Painting Accreditation and Certification Programs under TSCA, Title IV, §404, if a training program, training manager, or other person with supervisory authority over the training program has failed to comply with relevant regulations in 40 CFR part 745, Subpart E.
2. **TO WHOM DELEGATED.** Regional Administrators and the Assistant Administrator for Prevention, Pesticides and Toxic Substances (OPPTS).
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.** This authority may be redelegated to the Branch Chief level, or equivalent, and no further.
5. **ADDITIONAL REFERENCES.**
 - a. See delegation 12-33 in EPA's "Delegations Manual."
 - b. The Housing and Community Development Act of 1992, Title X, the Residential Lead-Based Paint Hazard Reduction Act of 1992 which amends the Toxic Substances Control Act (15 U.S.C. 2601) by adding Title IV - Lead Exposure Reduction.
 - c. TSCA, Title IV, §402.
 - d. 40 CFR part 745.

IS

Lisa P. Jackson
Administrator



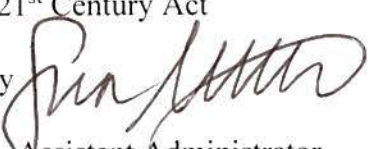
THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 07 2016

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to Take All Necessary Actions under Section 5 of the Toxic Substances Control Act as Recently Revised by the Frank R. Lautenberg Chemical Safety for the 21st Century Act

FROM: Gina McCarthy 

TO: James J. Jones, Assistant Administrator
Office of Chemical Safety and Pollution Prevention

1. AUTHORITY.

The authority to perform the functions and duties authorized in section 5 of the Toxic Substances Control Act, as revised by the Frank R. Lautenberg Chemical Safety for the 21st Century Act that was signed by the President on June 22, 2016, including the authority to review and make determinations on manufacturer and processor notices required under TSCA section 5(a)(3) and the authority to publish in the *Federal Register* the Statements of Administrator findings under TSCA section 5(g).

2. TO WHOM DELEGATED.

The assistant administrator for the Office of Chemical Safety and Pollution Prevention.

3. LIMITATIONS.

None.

4. REDELEGATIONS.

- a. The OCSPP assistant administrator may redelegate specific functions and responsibilities under this temporary delegation to the office director level or equivalent, and this authority may be further redelegated through the division director level to the branch chief level or equivalent and no further.
- b. An official who delegates or redelegates authority is not divested of the power to exercise that authority, and the authority can be exercised by management officials within the chain of command to the lowest level of the delegated authority.
- c. An official who delegates or redelegates authority may revoke such redelegation at any time.

5. REFERENCES.

- a. Toxic Substances Control Act, 15 U.S.C. 2604.
- b. Frank R. Lautenberg Chemical Safety for the 21st Century Act, Pub. L. 114-182.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

November 16, 1983

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

TO: Air and Waste Management Division Directors
Environmental Services Division Directors
Toxic Substances Branch Chiefs

SUBJECT: Settlement with Conditions

Attached is a copy of the guidance for the Toxic Substances Control Act Settlement with Conditions. This document has been changed significantly from the draft which was circulated for comment last year. The procedure for executing a Settlement with Conditions is to first sign a routine Consent Agreement and Final Order but to defer payment of the penalty until sixty days after the issuance of a remittance order. A remittance agreement is then negotiated between EPA and the violator. This agreement details the actions which the violator must complete (the Compliance Program and Schedule) as conditions for remittance of all or part of the penalty. When the Agency is satisfied that the conditions have been met, then the Administrator or his delegatee will remit the penalty by signing a remittance order. Under the previous procedure, the Compliance Program and Schedule could not be amended because it was part of a final order signed by the Regional Administrator. There was also some doubt as to whether the final order would be legally final if it contained conditions regarding the collection of the penalty. The new procedure avoids those problems.

Delegation of the authority to remit penalties with conditions will be part of the new delegations manual to be issued in the near future. Under the proposed delegation, the Administrator will delegate his authority in this area to Regional Administrators and the Assistant Administrator for Pesticides and Toxic Substances, who may then delegate

their authority to the division director level. Of course, the delegates will consult with Regional Counsel or the Office of Enforcement and Compliance Monitoring. If a case comes up in your Region before the new delegations manual is ready, contact Headquarters so that the proper interim arrangements can be made.

These procedures should be applied to all appropriate violations of the Asbestos in Schools Rule. This guidance is referenced on page 4 of the Enforcement Response Policy for the Asbestos in Schools Rule where specific criteria for its application to violation of that rule are given.

If you have any questions about this policy or its application, call Pamela Harris of my staff at FTS-382-5567. This guidance document should be used in its present form, but will be revised as experience with it shows the need for refinement.



A. E. Conroy II, Director
Compliance Monitoring Staff
Office of Pesticides and Toxic Substances

Attachment

cc: Glenn Unterberger
Steve Leifer
Sanford Harvey

November 15, 1983

TOXIC SUBSTANCES CONTROL ACT

SETTLEMENT WITH CONDITIONS

SETTLEMENT WITH CONDITIONS

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Introduction

Purpose and Background

This document provides guidance for the settlement of administrative cases involving alleged violations of the Toxic Substances Control Act (TSCA) through a settlement with conditions. Using this kind of settlement, the Environmental Protection Agency (EPA) may remit all or part of a penalty in exchange for specific remedial action performed by the Respondent.

Sections 16 and 17 of TSCA provide the EPA with a choice of remedies with which to respond to violations of section 15 of TSCA. These remedies include civil administrative penalties, injunctive relief, and criminal sanctions. In addition to these remedies, the Agency uses nonstatutory notices of noncompliance to respond to minor technical violations. These remedies are described in TSCA Level of Action Guidance documents, which provide criteria to assist Regions in selecting the appropriate remedy.

Section 16(a)(2)(A) of TSCA authorizes the Administrator to assess civil penalties for violations of TSCA. Section 16(a)(2)(C) permits the Administrator to compromise, modify, or remit^{1/}, with or without conditions, any civil penalty which may be imposed under Section 16(a)(2)(A). The term used to refer to the settlement of a case under terms which commit the Respondent to perform specified acts in exchange for a remittance of all or a portion of the penalty is "Settlement with Conditions" (SWC).

The purpose of the Settlement with Conditions is to enhance the level of compliance where violations require complex remedies. In exchange for the amount of the proposed civil penalty which the Agency is to remit, the violator agrees to take extensive and specific remedial actions. These actions must exceed those normally expected under the circumstances, must be taken within a specific time period and will be strictly monitored by the Agency. The remedial actions may be related not only to the violations discovered by the Agency, but also to other current violations as yet undiscovered, or to deterrence of future violations. In addition to remittance of the penalty, the Agency will also agree to refrain from taking further enforcement action with respect to the specific situations covered by the settlement agreement for the term of the agreement and, as long as the company acts in good faith, to abide by the conditions. At the end of the term, if the Agency is not satisfied that the conditions have been met, the full amount of the penalty is due. The Agency may then elect to reinspect the facility to document further violations or to take injunctive action to remedy the violation.

^{1/} The term "remit" is not defined in Section 3 or discussed in the legislative history of Section 16. It has, however, been used in other Federal enforcement statutes. In these contexts its meaning is to release from a penalty; to refrain from enforcing; to refrain from exacting as a penalty; to forgive a penalty in whole or in part.

Overview

An SWC is set forth in three documents: (1) a consent agreement and consent order assessing an administrative civil penalty according to Sections 16(a)(2)(A) and (B) and the Consolidated Rules of Practice, (2) a remittance agreement which sets forth the conditions for Remittance (Compliance Program and Schedule (CPS)) and (3) a Remittance Order.

The consent agreement and final order assesses a total penalty and disposes of the proceeding. This document cannot contain any conditions precedent to the assessment of the penalty or it will not be considered a final order.

The remittance agreement sets forth the CPS, the completion of which is a condition precedent to the remittance of all or part of the penalty.

The remittance order formally remits the penalty (or portion of the penalty) and is executed when the Agency is satisfied that the Respondent has met the conditions outlined in the CPS. If the Respondent has not satisfied the conditions, the order informs him that the payment of the previously assessed penalty is due.

When to Use an SWC

Initial Criteria

Using an SWC requires a two-step process: First, a decision must be made to choose an SWC as the appropriate remedy. This is done by applying the criteria set forth in the first part of this section. Second, once an SWC is selected, the amount of the penalty to be remitted is determined by considering the factors set forth in the second part of this section.

Settlements with Conditions should be employed with some restraint. SWCs should not be used in a manner which encourages industries to violate TSCA until they are discovered and then offer to correct actions in hope of a remittance. Most CPSs will describe actions which go beyond correction of violations.^{2/}

A Settlement with Conditions should be considered when non-profit entities are found to be in violation of TSCA. Such settlements allow the Agency to avoid increasing the burden on public service institutions and at the same time increase the level of compliance and benefit the public. However, these

^{2/} It is important that the remittance agreement specify that the remedial actions are performed in lieu of a civil penalty since this prevents the company from deducting as a business expense the cost of such actions and gaining an unwarranted income tax advantage.

settlements should not automatically be employed for settlement with all nonprofit entities. The criteria listed below should determine if an SWC is an appropriate remedy, regardless of whether the violator is a profit or a non-profit entity.

Criteria for Choosing an SWC

In the following circumstances an SWC should be considered:

- o Violations have been documented which warrant a civil penalty; and
- o The violations do not evidence wanton, knowing, or willful disregard for regulatory requirements; and
- o The violations are continuing (for more than 30 days) or recurring in nature; and
- o To come into compliance, the facility needs to undertake a detailed design, engineering, and/or monitoring program requiring numerous, complex steps over time, and
- o The company has exhibited a good-faith attitude toward solving the noncompliance and has no history of non-compliance; and
- o There are clear public benefits to use of an SWC; and
- o An SWC acceptable to EPA can be negotiated.

Criteria for Determining the Penalty Amount to be Remitted

The amount of the proposed penalty to be remitted should be determined by considering the following factors:

- o The severity of the environmental contamination or health risk associated with the violation; and
- o The degree of good faith the violator has demonstrated in his efforts to correct the problem; and
- o The relationship of the proposed penalty to the estimated clean up cost or other environmentally beneficial expenditure; and
- o The need for the authority of the Agency to be vindicated.

Appendix A of this document provides explicit application of these criteria to the PCB rule (40 C.F.R. Part 761).

Other Considerations

Comparison with Section 17

The CPS portion of the SWC may impose performance requirements identical with those contained in an order for injunctive relief obtained in federal district court under a Section 17 order. Since such an action is more resource intensive than an SWC^{3/}, injunctive relief should be sought only where:

- o Significant environmental contamination or health exposure is actually occurring, and the person responsible for creating the problem refuses to take swift corrective action; or
- o The violator refuses to correct a substantial violation; or
- o The compliance history and attitude of the violator are such that the Agency believes that the contempt power of the Court is needed to insure that the violator adheres to the program needed to achieve compliance.

Incentives

Although remedies exist to enforce adherence to an SWC, the Agency should not enter into this type of settlement unless the violator is clearly acting in good faith. The Agency expects the violator to strictly adhere to the compliance program and schedule contained in the settlement. The violator's incentives to comply with an SWC should be examined in the context of each case. Possible incentives to the Respondent can include:

- o The Respondent may use the SWC to demonstrate his good faith commitment to take responsible remedial action or as evidence that adequate remedial action has been taken. Thus, the SWC would give the Respondent a favorable position in suits that may be brought against it by citizens or other governmental bodies for correction of conditions covered by the SWC.
- o The Respondent will benefit from EPA's promise not to reinspect and bring civil penalty actions for each day of a continuing violation covered under the SWC.

^{3/} Petitioning the Court requires the preparation of formal documents with supporting briefs, and the active involvement of, OLEC/RC, the Department of Justice, and the local U.S. Attorneys Office. Similar steps must be taken to amend a Section 17 court order, in contrast to the simpler procedure required to amend an SWC.

- o The Respondent may desire not to pay the remitted penalty in addition to expenditures needed to achieve compliance.
- o The Respondent may receive favorable publicity from performance of the acts outlined in the compliance program and schedule.

Elements of Settlement with Conditions

An SWC, like any Section 16 settlement, consists of a complaint (40 C.F.R. §22.14) and a consent agreement and consent order (40 C.F.R. §22.18). It also includes a remittance agreement and a remittance order. This part of the guidance describes the specific language which must be incorporated into these documents to constitute a SWC.

Complaint

A complaint alleging violations of TSCA and proposing a civil penalty must be issued to establish the Agency's allegations that violations have occurred and to initiate any SWC negotiations. The complaint should be issued in the same format as in any TSCA administrative civil penalty action. The content of the complaint is prescribed by 40 C.F.R. §§22.14(a) & (e).

Consent Agreement and Final Order

This document must meet the requirements of 40 C.F.R. 22.14(b) and (c). In the agreement the Respondent (1) admits the jurisdictional allegations of the complaint (2) admits the facts stipulated in the consent agreement or neither admits nor denies specific factual allegations and (3) consents to the assessment of a stated administrative civil penalty. The consent agreement shall include all terms of the agreement and shall be signed by all parties or their counsel or representatives. The consent order⁴/or "final order" disposes of the administrative proceeding and is signed by the Regional Administrator or the Assistant Administrator for OPTS. A sample consent agreement and final order appear in Appendix B.

The consent agreement and final order should consist of the following elements:

Preliminary Statement

This part of the document states that a civil penalty is assessed for specific violations of TSCA. The Respondent admits the jurisdiction of the complaint and may admit or neither admit nor deny the allegations. The Respondent also waives its right to a hearing and consents to the issuance of a final order and payment of a civil penalty.

⁴/ Unlike judicial consent decrees and consent orders filed in Federal court, the Administrative Law Judge, unlike a federal judge, does not have continuing jurisdiction over a consent agreement and consent order signed by the Regional Administrator. (see Consolidated Rules of Practice, 40 C.F.R. Part 22)

Findings of Fact

This section lists the findings of fact as to each allegation in the complaint.

Conclusions of Law

This section contains conclusions of law which establish a violation of TSCA.

Final Order

The final order contains the assessment of a final penalty which is calculated based on the gravity based penalty matrix and adjustment factors in the enforcement response policy or civil penalty assessment guidance for the rule. A final order in an SWC should contain a statement that indicates that payment of the assessed penalty may be deferred until 60 days after the remittance (or nonremittance) order. Such a procedure is permitted under 40 C.F.R. §22.31(b).

Remittance Agreement

At any point in the negotiation of the consent agreement and consent order or after the final order is signed, the EPA and the Respondent may enter into a Remittance Agreement. Under this agreement, EPA will agree to remit all or part of a penalty if the Respondent performs specific actions. The actions usually include, but go beyond, compliance with TSCA. These activities are described in the Compliance Program and Schedule. The parties which negotiated the agreement may amend it according to the procedures outlined in this document without affecting the consent agreement and consent order. A sample remittance agreement appears in Appendix B.

The most important part of the remittance agreement is the commitment to the CPS. The CPS is referenced in the remittance agreement and attached to it. An example of a CPS is appended to this document in Appendix B.

Compliance Program and Schedule

Generally

The CPS details the steps the Respondent must take to remedy the violations and report its progress to EPA.

The specific provisions of the CPS will vary with each settlement depending upon the facts of the specific case; this guidance discusses factors to consider in drafting any CPS.

Final Compliance

This section of the CPS should state that the goal of the CPS is to bring all the Respondent's facilities subject to the CPS into final compliance with the applicable TSCA regulation no later than the date specified in the CPS for final compliance. The meaning of final compliance should be set forth in this section, e.g., "all of the Respondent's transformers shall contain PCBs in concentrations less than 50 ppm no later than January 1, 1984." The Agency will determine whether the company has complied with the rule based on the monitoring and reporting provisions of this agreement. The Agency will inform the Respondent of its decision concerning compliance in a letter. If the Respondent has adhered to the terms of the CPS, then the Agency will permanently remit the deferred portion of the final penalty. If the Respondent has not complied with the CPS, the uncollected portion of the penalty is due.

Interim Milestones

Because final compliance will often take considerable time to achieve, interim compliance standards will be necessary in most CPSs. Discrete milestones should be established which lead consecutively to final compliance. There may be several separate schedules (e.g., a schedule to develop a plan; to construct equipment or facilities; to decontaminate, to test, etc.). Interim standards are appropriate in those instances in which (1) the final standard is presently unattainable in light of immediately available technology or present knowledge of the noncompliance problem; or (2) cost, or safety risks which immediate imposition of the final standard would require outweigh the continued environmental risk presented by the ongoing violation. For example, necessary equipment may not be available at the execution of the CPS. The CPS can specify an interim standard (e.g., concentration of PCBs in PCB items such as transformers) which the Respondent must meet prior to the final compliance date.

Timetables

The CPS should specify timetables for performing tasks necessary to achieve compliance as quickly as is reasonable under the circumstances. The performance periods for accomplishing relevant milestones may be expressed as dates certain, as working days following the effective date of the consent agreement and consent order, or as days following the performance of some contingent event, such as EPA approval of plans or review of test results.

Monitoring

An important part of the CPS is the inclusion of provisions for monitoring the performance required by the CPS. Monitoring provisions will generally require periodic testing and reporting by the Respondent. In selecting the monitoring provisions, such factors as the impact on Agency resources of different monitoring requirements and the ease with which the Agency can proceed with monitoring should

be considered. Reporting should be required at least quarterly; more frequent reporting should be considered where a CPS is particularly complex; however, reporting should not be so burdensome that it distracts the Respondent's energies from the remedial task. This section will also address issues such as site entry and document review by the Agency both as authorized by Section 11 and to monitor compliance with the CPS.

Notification of Technical or Operational Difficulty

The CPS should provide for prompt notification to EPA by the Respondent of unexpected technical or operational difficulties which compromise the Respondent's ability to meet a deadline.

Technical Assistance

There may be a provision requiring EPA to provide reasonable technical assistance concerning such matters as sampling, analytical procedures, and acceptable disposal options for the purpose of complying with the agreement. This requirement is only appropriate where innovative technology or procedures which are new or not well established are part of the performance requirements.

Amendments to CPS

The remittance agreement should contain an amendment procedure upon mutual consent of EPA and the Respondent. This provision should clarify that the CPS may be amended at any time to modify or add technical and operational requirements (such as, but not limited to, deadline modifications necessitated by technical or operational difficulties) if needed to achieve compliance by the Respondent. Other specific circumstances for amendment may be discussed (i.e., the occurrence of events beyond control of the Respondent, but not including an increase in cost of compliance). Any changes and/or amendment to the agreement will be deemed to be incorporated into the agreement when it is signed by authorized representatives of EPA and the Respondent.

Standing alone, the mere fact that the Respondent is going to miss a deadline should not lead to an amendment. Simple failure to comply, without more, calls for an enforcement response. Where, however, the Respondent has made a good faith effort to comply with a requirement, and (1) that requirement was arrived at by mutual mistake, or (2) a condition precedent to the requirement was not fulfilled (through no fault of the Respondent) such that compliance is impossible, the CPS should be amended.

In general the following are guidelines for granting extensions or amendments:

- o Extensions or amendments will be considered only in circumstances which are entirely beyond the control of the Respondent. Respondent may not claim economic hardship or increased costs as circumstances beyond its control.

- o The burden is on the Respondent to prove that events requiring the extension or amendment are beyond its control.
- o The Respondent must notify the Agency immediately of any need for extension or amendment of the CPS.
- o The Respondent should take measures to prevent or minimize the need for amendment or extension of the CPS.
- o The events which trigger the extension or amendment do not excuse the Respondent from ultimate compliance with the CPS. Compliance should occur as quickly as possible.
- o Disputes concerning the need for extension or amendment of the CPS may be resolved according to the procedures described in the "Dispute Resolution" section.

Specificity and Clarity

To avoid controversy over whether the Respondent met any requirement of the CPS, the performance requirements must be stated in a manner which is capable of only one interpretation. For example, rather than simply requiring the Respondent to prepare a sampling plan, the CPS should set forth the component parts of the plan such as sample volume, method of collection, and sample handling procedures, and location of each sampling point. Requirements should not be so detailed as to be unnecessarily burdensome or to eliminate the Respondent's needed flexibility. For example, it would normally not be necessary to specify the type or brand of equipment necessary to perform certain construction-related tasks. On the other hand, such specifications might be necessary in the case of equipment to detect PCBs.

A CPS with many technical or potentially ambiguous or misleading terms, or terms defined according to agreement reached between the parties, should contain a separate section listing definitions of those terms. Definitions contained in the CPS must conform with definitions given in TSCA and its regulations. Redefinition of terms that have specific statutory or regulatory definitions should not be attempted; however, examples or illustrations of these terms may be appropriate.

Quality Assurance

Depending on the nature of the compliance program, the quality assurance measures to be taken by the Respondent should be discussed. It may be appropriate to require the Respondent to participate in an independent or government quality assurance program or to split some samples with an EPA or State laboratory.

Enforcement

The remittance agreement should include a statement that EPA shall not initiate additional enforcement action against the Respondent concerning the violations which are the subject of the agreement as long as he complies with the CPS. EPA's promise is part of the quid pro quo of the agreement. The clause should state clearly that the insulation from enforcement does not extend to violations of other TSCA provisions or to violations of other laws administered by EPA, nor does this agreement affect the defendant's liability with regard to other State, Federal or local statutes or regulations.

In addition, this agreement does not limit or affect the rights of the United States or of the Respondent against any third parties.

Dispute Resolution

Disputes may arise between EPA and the Respondent after signature of the remittance agreement. The agreement (in the CPS) can provide its own mechanism for resolving some or all of the potential disputes. The parties could agree to submit the matter to arbitration. This approach is useful where technical disputes can be submitted to an expert respected by both parties. If possible, this expert should be selected in advance and named in the decree.

Confidentiality of Documents

The Respondent has the right under TSCA to claim that information submitted to the Agency is Confidential Business Information. This section should cover the procedures the company must follow to exert a confidentiality claim. If the company waives its right to exert a confidentiality claim, that should be stated in this section.

Remittance Order

If the Respondent performs the actions described in the CPS, the Agency will remit all or part of the penalty. The Agency will issue a Remittance Order which formally states that the Administrator is satisfied that the conditions for remittance have been satisfied and that the penalty (or part of the penalty) is remitted.

Roles and Relationships

While Headquarters may assume the lead on the few cases which involve issues of first impression or national significance, the Regions will primarily implement this guidance. Regions may organize their offices in any way consistent with the Administrator's guidance on Regional organization; the suggested allocation of responsibility with regard to SWCs between Program Offices and Counsel is as follows:

Decision to Use SWC

As in any other choice of remedy or level of action determination, the Regional Program Office is responsible for this decision following the criteria set forth in this document.

Negotiations

Negotiations^{5/} are a critical part of the SWC process. The adequacy of the remedial measures to be incorporated into the SWC will often depend on information in the Respondent's possession.

Negotiations that take place prior to the filing of a complaint are the primary responsibility of the Regional Program Office^{6/}. If the Respondent is represented by counsel, however, Regional Counsel or Headquarters OLEC must attend.

At the start of negotiations, EPA's representatives should inform the Respondent's representatives of the scope of their authority to speak for the Agency and of Agency policy, regulations and concurrence practices which may affect the terms of the SWC and the time necessary for EPA to execute the SWC. Similarly, Agency representatives will want to ascertain the scope of authority of the Respondent's representatives.

It is strongly recommended that EPA representatives conduct negotiations of administrative actions according to their own specific timetables. Establishing milestones of which all negotiators are aware will ensure that enforcement actions proceed and are not unduly delayed by the negotiating process. In order to keep negotiations moving, every offer or request made to the Respondent should contain a definite date for response. A final date ninety days after

^{5/} Preliminary discussions which may bear on the decision to proceed with an SWC are not included under "Negotiations" but rather are instrumental in determining good faith under "Criteria".

^{6/} Once litigation commences, negotiating sessions must be led by the Regional Counsel or Headquarter's OLEC Attorney of Record, with attendance by technical personnel. These sessions should be conducted as part of an overall litigation/settlement strategy.

initiation of negotiations should be established by which all documents required for an SWC must be signed by EPA and the Respondent.

Preparation and Issuance of Documents

The Program Office should prepare the documents necessary for an SWC, with review for legal sufficiency by Regional Counsel.

Drafts of these documents, including tentative performance requirements and schedules, should be prepared for discussion purposes for the first negotiating session. (Although the complaint should be prepared, it should not be subject to negotiation.) These drafts serve to focus the discussion and will provide an early indication of the Respondent's willingness to agree to reasonable proposals. EPA Counsel should be consulted regarding any disputes over findings and admissions.

As set forth in the Delegations Manual and the Consolidated Rules of Practice, the Regional Program Division Director will issue the complaint. The Regional Counsel will sign and execute the consent agreement with concurrence from the Division Director, and the Regional Administrator or Regional Judicial Officer will issue the consent order.

In cases settled at Headquarters, the complaint will be signed by the Assistant Administrator for the Office of Pesticides and Toxic Substances or the delegate, the Director of the Compliance Monitoring Staff, and the consent order by the Administrator or the Headquarters Judicial Officer. The consent agreement will be signed by the Assistant Administrator for Enforcement and Compliance Monitoring or delegate with concurrence from the Assistant Administrator for Pesticides and Toxic Substances or the Director of the Compliance Monitoring Staff.

The remittance agreement may be negotiated by the Program Office with consultation from the Regional Counsel's Office. However, only the Administrator or delegates (Regional Administrator or Assistant Administrator for the Office of Pesticides and Toxic Substances, who may redelegate to the Division Director level) can sign the remittance order.

Monitoring

It is the responsibility of the Program Office to monitor compliance with the CPS. The Regions should establish a specific team to monitor compliance with a CPS. This team will maintain a CPS Monitoring Worksheet. The worksheet should contain four columns.

- ° Column #1 lists the task to be completed or the standard to be achieved.
- ° Column #2 lists the due dates for the items in column #1.
- ° Column #3 lists the dates that the items in column #1 were completed.
- ° Column #4 contains a brief evaluation of the quality and timeliness of the completion of the items in column #1. If there is need for additional space, an attached sheet may be referenced.

If any compliance steps require EPA review or approval, the requirements in column #1 should indicate this, and column #4 should indicate the results of the evaluation or approval/disapproval by the Agency. See Appendix D for a sample CPS Monitoring Worksheet.

Determination of Violation

The determination that an enforcement response is appropriate for a Respondent's failure to adhere to the SWC is the responsibility of the Program Office. The EPA may determine that the Respondent is not in compliance with the CPS if any interim milestone is missed. The Agency will not necessarily make a determination of violation based on a missed milestone, if the ultimate goal of the CPS is not compromised. Criteria for determining that a violation which merits an enforcement response has occurred during the CPS are:

- ° A milestone is missed by a significant number of days and the Respondent has reported no technical difficulties nor justified an amendment to the agreement (see Amendments section);
- ° Timely ultimate compliance is greatly compromised by the missed milestone; and
- ° Respondent's actions fails to demonstrate a good faith effort to comply with the CPS.

If the violation is severe enough or violations are repeated, then the Agency may issue a nonremittance order.

Responses to Noncompliance with the SWC

Penalty Payment

If the Respondent fails to adhere to the conditions of the SWC, the Agency will issue a nonremittance order notifying the Respondent that because the Respondent did not meet the conditions for remittance, the uncollected penalty is due and payable within 60 days. The non-remittance order will specify the ways in which the conditions were not met. If the Respondent refuses to pay, the Agency may refer the action to the Department of Justice which may bring a recovery action under Section 16(a)(4) to collect the penalty that was assessed.

Reinspection and Additional Enforcement Action

Inspections conducted by the Region or HQ's during the course of the SWC and/or reports submitted by the Respondent may indicate violations of the statutory/regulatory provisions which are the subject of the SWC. Indeed, this is likely to be the case, given the continuing or recurring nature of the violations that a SWC is intended to remedy. As long as the Respondent complies with the terms of the SWC, however, the Respondent is shielded from additional enforcement action involving the subject matter of the Agreement. Once, however, the Region determines that the SWC has been violated and so notifies the Respondent, EPA should reinspect the facility to document additional violations. However, EPA may not attempt to establish violations during the term of the SWC and prior to a notice to the Respondent. The Respondent remains liable, of course, for violations of regulatory and statutory provisions not covered by the SWC.

When considering additional enforcement actions in response to violations discovered upon reinspection, the Region may give consideration to pursuing injunctive action under Section 17. Clearly, in cases of serious violations where administrative enforcement action cannot be expected to achieve compliance, an injunction may be a desirable enforcement response.

APPENDIX A:

APPLICATION OF SWC CRITERIA TO PCB RULE

This Appendix illustrates the application of the criteria set forth in the SWC guidance document to some typical violations of the PCB rule (40 CFR Part 761; all references herein are to the recodification of the rule at 47 FR 19527, May 6, 1982). The illustrations are not meant to be an exhaustive catalog of all situations in which a SWC should be considered. Each will highlight the consideration of one or more criteria.

I. Marking - §761.40

An SWC should not be considered for Marking violations, since two of the criteria are not met. These violations are easily correctable.

II. Recordkeeping of Use and Disposal - §761.45

An SWC should not be considered for Recordkeeping violations, since these violations are easily correctable.

III. Storage for Disposal - §§761.60 & 761.65

Generally

A storage violation could satisfy several criteria. However, given the relative ease with which a violative storage facility can be upgraded to meet the requirements of §761.65(b)(1), the fourth criterion will not be satisfied in the usual case. Likewise, violations of the conditions for temporary storage of PCBs set forth in §761.65(c) can be easily corrected and should not continue for more than thirty days if adequate corrective action is taken.

Disposal Deadline Violations

Pursuant to §761.65, certain PCB items taken out of use before January 1, 1983 may only be stored until the deadlines set forth in the Rule. The strong Agency policy of encouraging advance planning for proper disposal means that even in instances where a facility alerts EPA that all authorized disposal sites are overcrowded, an SWC is not appropriate.

In the case of the Electrical Equipment Rule (47 FR 37342), failure to remove electrical equipment from zones of exposure in food and feed establishments by the deadlines set forth in this Rule amendment is not a violation qualifying for an SWC. There is ample flexibility in the Rule amendment to allow advance planning to solve storage problems.

IV. Manufacturing - \$761.20

Intentional

Intentional manufacture of PCBs without obtaining an exemption, even where an exemption might have been granted, will never satisfy the second criterion.

Incidental (greater than 50 ppm)

Incidental generation of PCBs as a byproduct of the manufacturing process may qualify for an SWC. The first four criteria may be satisfied, and the fifth criterion could be satisfied if the violator (1) voluntarily reports the facts to EPA as soon as it could reasonably be expected to discover them, and (2) will agree to a remedial plan including testing and monitoring beyond the regulatory requirements, i.e., actual testing rather than theoretical analysis. The last criterion will be satisfied where EPA needs the cooperation of the company to investigate the problem and determine solutions and where the shut down of the facility is imminent. The goal of such an SWC would be to encourage the company to both reduce the concentration of PCBs to less than 50 ppm and develop a closed and controlled system.

Incidental (less than 50 ppm) (Closed and Controlled Rule; 47 F.R. 46980)

The factors determining whether to use an SWC here are the same as set forth above in the case of concentrations greater than 50 ppm. The goal of the SWC, however, is to develop a closed and controlled system to contain the PCBs, rather than to reduce their concentration.

Import/Export

Import or export of PCBs after May 1, 1980, even if done without knowledge that the material contained PCBs, will not qualify for an SWC because at least two criteria are not satisfied.

Waste oil

A violation of the prohibition of the use of waste oil containing any detectable PCBs as a sealant, coating, or dust control agent might in some circumstances qualify for an SWC. Although the third criterion would not be met since the use could be stopped at once, if the fourth criterion were met due to widespread contamination, and the second criterion were met because the violator had no reason to know that the oil contained PCBs, an SWC should be considered.

V. Use - §761.30
Generally

The PCB rule calls for the phase out of use of PCBs in a non-enclosed manner in several categories, such as natural gas pipeline compressors and large capacitors in non-restricted access electrical substations. If a facility tells EPA of problems at the earliest date at which it could have reasonably anticipated problems with meeting a deadline, EPA may devise a program to bring the facility into compliance as expeditiously as possible after the deadlines and incorporate that program into an SWC.

New Methods

A use authorization permits the use of PCBs in Heat Transfer Systems and Hydraulic Systems until July 1, 1984, subject to certain testing, draining, and retrofilling requirements. If the Respondent can demonstrate that an alternative to retrofilling will permanently reduce the PCB concentration in the hydraulic or heat transfer system, an SWC could be devised to allow the use of such new method. The Respondent should agree to supply EPA with testing data in addition to the data required by §761.30(d)(5) & (e)(6). The sixth and seventh criteria will be satisfied where the alternative method will result in the conservation of heat transfer or hydraulic fluid.

VI. Disposal - §761.60

PCB Articles

Unauthorized disposal of certain PCB articles, such as Large High or Low Voltage PCB capacitors or PCB hydraulic machines, does not satisfy the second criteria since it is well known in the industry that all such articles may contain PCBs. Therefore an SWC should not be used even if all other criteria are satisfied. On the other hand, disposal of small transformers might not constitute a knowing violation of the rule if the person did not have reason to know the articles contained PCBs.

Landfills and Lagoons

While PCBs and PCB items landfilled prior to February 17, 1978, do not have to be removed for disposal, where the Respondent has disturbed a landfill, this constitutes ongoing disposal. If (1) the clean up of the landfill constitutes a major undertaking requiring many steps over time and/or (2) long-term monitoring to protect groundwater is required, use of an SWC may be in order. Given the seriousness of a disposal violation with threatened groundwater contamination, the full penalty in such a case should not be remitted.

Incineration

Where PCBs must be incinerated (i.e., fluids with PCB concentrations greater than 500 ppm), landfilling evidences a knowing violation and thus an SWC is not appropriate.

Spills - §761.60(d)

Many spills do not normally qualify for an SWC because they are not continuing violations and do not require a major clean-up operation. If, however, the spill is of such proportion as to require clean up of such magnitude, an SWC may be used. Such a major spill calls for only the partial remission of a penalty.

Minor spills and leaks are examples of the kind of routine violations for which an SWC may be negotiated which calls, not for the clean-up of the spill, which should already be accomplished, but for other performance beyond that required by statute or regulation. For example, where Respondent has committed a spill of pipeline condensate from its gas distribution system, and EPA needs that company to perform testing of levels of PCB in the ambient air of homes connected to the system, EPA may remit the penalty for the spill on condition of performing the testing. If EPA could perform the testing itself with minor expenditure-of resources, an SWC would not be warranted.

APPENDIX B: SAMPLE DOCUMENTS

Consent Order Agreement and Final Order

Remittance Agreement

Compliance Program and Schedule

Remittance Order

Nonremittance Order

Persons and institutions are fictitious.

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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

In re:)	Docket No. TSCA -
)	
LOUISIANA WESTERN TRANSMISSION)	
CORPORATION)	CONSENT AGREEMENT
719 S. Carrollton Avenue)	AND
New Orleans, Louisiana 71301)	FINAL ORDER
)	
Respondent		

Preliminary Statement

1. This administrative proceeding for the assessment of a civil penalty was initiated pursuant to Section 16(a) of the Toxic Substances Control Act, 15 U.S.C. §2601 et seq. (TSCA). The action was instituted by a complaint and notice of opportunity for hearing, filed upon Louisiana Western Transmission Corporation (respondent), on July 23, 1982. The complaint charges that respondent used polychlorinated biphenyls (PCBs) in violation of 40 C.F.R. §761.20(a), thereby violating Section 15(1)(C) of TSCA, 15 U.S.C. §2614(1)(C).
2. For purposes of this proceeding, respondent (1) admits the jurisdictional allegations of the complaint; (2) neither admits nor denies the findings of facts contained in this agreement; and (3) neither concedes nor contests the conclusions of law contained in this agreement.
3. Respondent explicitly waives the right to request a hearing on any issue contained in this agreement.
4. Respondent consents to the issuance of the final order hereinafter recited.

Findings of Fact

1. Respondent is a domestic corporation incorporated under the laws of the State of Delaware.
2. Between February 12, 1981, and June 12, 1981, respondent was conducting its business of natural gas transmission at Armagh, Bechtelsville, Bernville, Delmont, Entriken, Grantville, and Lilly, Pennsylvania; Barton, Alabama; Danville, Kentucky; Gladeville, Tennessee; Hanover, New Jersey; Kosciusko, Mississippi; and White Castle, Louisiana, and other locations.

3. During that period, respondent was inspected by representatives of the U.S. Environmental Protection Agency (EPA) (Complainant), pursuant to Section 11 of TSCA (15 U.S.C. §2610).
4. On June 12, 1981, respondent, in response to an informational request from EPA, sent a letter to A. E. Conroy II, Director of the Compliance Monitoring Staff, of EPA's Office of Pesticides and Toxic Substances.
5. Information from the EPA inspections and Respondent's letter evidence that on sixteen (16) occasions, PCB levels in Respondent's compressors exceeded the 50 ppm limit after May 1, 1980. Respondent's June 12, 1981, letter indicates that only one exceedance of the 50 ppm limit remained when a subsequent sampling ("9th Analysis") was conducted by respondent between February 3 and March 9, 1981.
6. Respondent has made good faith efforts to comply with the prohibition against use of PCBs in natural gas pipeline compressors. Even prior to enactment of TSCA, respondent, in 1972, had commenced a program to phase out PCBs in its compressors. This program was accelerated in early 1976. Respondent conducted decontamination procedures which included draining PCB liquids and refilling with non-PCB liquid. Respondent participated in the EPA/natural gas industry sampling program to determine the extent and magnitude of its contamination problem.

Although the information respondent submitted to EPA -- and upon which EPA relied in establishing its deadline -- indicated the requisite PCB removal from compressors could be achieved by May 1, 1980, subsequent findings indicated that additional draining and refilling not contemplated by the regulation was required. These findings were comparable to those relied upon by EPA in initially establishing a July 1, 1984, deadline for eliminating PCBs from heat transfer and hydraulic systems. See 40 C.F.R. §761.31(d) and (e); May 31, 1979, Preamble, 44 Fed. Reg. 31,534; and Support Document, p. 100. Although EPA believed the total cost for PCB removal for all pipeline compressors would be approximately \$200,000 Louisiana Western alone has expended to date over \$3,000,000 in clean-up costs.

7. Respondent has at all relevant times acted in good faith and cooperated with EPA in attempts to gauge the extent of pipeline compressor contamination, and in implementing remedial measures.
8. Respondent has voluntarily instituted remedial measures including testing, draining, and other decontamination measures to remove PCBs from its gas pipeline compressors.

Conclusions of Law

By reason of the facts set forth in the "Findings of Fact," it is concluded that respondent has violated Section 15(1)(C) of TSCA, 15 U.S.C. §2614(1)(C), by failing to comply with a rule issued under Section 6 of TSCA, 15 U.S.C. §2605: 40 C.F.R. Part 761, which prohibits the use of PCBs in an other than totally enclosed manner.

Respondent hereby consents to the issuance of the following order, and complainant hereby recommends that the Headquarters Judicial Officer issue the following order:

Order

Pursuant to the authority of Section 16(a) of TSCA, 15 U.S.C. §2615(a), and upon consideration of: the "Findings of Fact" and "Conclusions of Law" contained in the consent agreement; the factors expressed in Section 16(a)(2)(B) of TSCA; PCB Penalty Policy" [45 Fed. Reg. 59,770 (1980)] it is hereby ORDERED that:

Respondent is assessed a civil penalty in the amount of \$158,800, payable to the Treasurer, United States of America. Such payment shall be made by forwarding to the Hearing Clerk (A-101), Environmental Protection Agency, Washington, D.C. 20460, a cashier's or certified check in the amount of the penalty assessed in this order. Payment shall be made within sixty (60) days of receipt of this consent agreement and final order. However, if agreed to by the parties, payment of the civil penalty may be deferred until sixty (60) days after the receipt of an order of remittance or order of nonremittance.

(Signature of respondent)

(Signature of complainant)

Date: _____ At: _____

It is so ordered. This order shall become effective immediately.

(Signature of Headquarters Judicial Officer)
Judicial Officer*

Date: _____ At: _____

*or Regional Administrator

SAMPLE REMITTANCE AGREEMENT

Introduction

On (date of consent agreement and final order), Louisiana Western Transmission Corporation was assessed a penalty of \$158,800 by administrative consent agreement and final order for violations of the Toxic Substances Control Act (TSCA). Pursuant to 40 C.F.R. § 22.31(b), Respondent and EPA agree to defer payment of the assessed penalty* until issuance of a remittance or nonremittance order. The Environmental Protection Agency agrees to remit all* of the penalty if the actions described in the attached Compliance Program and Schedule are completed by the date specified in the schedule.

Louisiana Western Transmission Corporation
New Orleans, Louisiana
Respondent

Dated: _____

At: _____

Administrator, EPA, or delegatee

* If only part of the penalty is to be deferred, the agreement should indicate the amount of the penalty to be deferred. This will be equal to the amount which may be deleted if the compliance program and schedule are adhered to by the Respondent.

COMPLIANCE PROGRAM AND SCHEDULE

Final Compliance

It is the goal of this Compliance Schedule to bring all natural gas pipeline compressors operated by Louisiana Western into final compliance within eighteen (18) months of the effective date of this Agreement. A compressor will be deemed to be in compliance when the PCB level in the compressor is less than 50 ppm. This determination shall be based on analytical tests of the compressor lubricating oil sampled after the compressor has been in operation a minimum of six (6) months after the last decontamination of the compressor.

Respondent will achieve final compliance with this compliance Program and Schedule by the agreed date. When EPA has determined that compliance is satisfactory, the Agency will write a letter to Louisiana Western remitting the unpaid portion of the penalty. If compliance is not satisfactory, EPA will notify the Respondent that the penalty is due and payable within sixty days.

Interim Milestones

1. Initial Testing: In order to determine which compressors must be decontaminated, Respondent shall test each natural gas pipeline compressor operated by Respondent which ever contained PCBs as indicated by the June 12, 1981 letter. The initial testing shall be conducted by Respondent within thirty (30) days of the effective date of this Agreement. For purposes of this initial testing, tests conducted on these compressors within six (6) months prior to the effective date of this Agreement shall meet the

requirements of this Part. Any compressor(s) which have been decontaminated within the six (6) months prior to the effective date of this Agreement will automatically be included in this program until it is shown that these compressor(s) meet the requirement for final compliance in Part 1.

2. Sampling and Analysis: Sampling shall be conducted by Respondent using EPA-approved sampling procedures. Information on sampling developed by EPA and provided to Louisiana Western as part of the EPA/natural gas industry cooperative sampling program shall serve as guidance for this sampling.*

To allow for comparison of analytical results, Respondent shall prepare a Sampling Plan which specifies sample volume, method of collection, and sample handling procedures. The Sampling Plan shall set forth (a) the location of each compressor covered by this agreement and (b) the specific sampling point(s) on each compressor to be sampled during each sampling required under this agreement. All samples collected under this agreement shall be collected from the same sampling point(s) chosen by Respondent in its Sampling Plan. Louisiana Western shall prepare this Sampling Plan within thirty (30) days of the effective date of this Agreement and supply a copy of this Sampling Plan to EPA within sixty (60) days of the effective date of this Agreement.

Samples shall be analyzed by Louisiana Western using the EPA methodology set forth in the EPA document entitled "Analysis of PCBs in Transformer Fluid and Waste Oil" which EPA supplied to

* Each sample shall be collected using a separate sampling device, such as a glass tube, pipette, or metal dipper, to avoid cross-contamination of samples. Sample containers shall consist of clean glass bottles with teflon lined lids, metal containers or equivalent.

Louisiana Western during the EPA/natural gas industry cooperative sampling program. On-going quality control including analysis of blank sample containers, duplicates, and spiked samples shall be conducted as outlined in the laboratory quality assurance guidance provided to Respondent by EPA during the EPA/natural gas industry cooperative sampling program, and in the method of analysis specified above.

EPA shall supply Respondent with reasonable technical assistance on sampling and analytical techniques when requested by Respondent for the purpose of complying with this Agreement.

3. Decontamination: Within one hundred and twenty (120) days of the effective date of this Agreement, Respondent shall decontaminate each compressor found to contain PCB concentrations of 50 ppm or greater, as determined by testing conducted in accordance with Part 2. Respondent shall decontaminate each compressor found to contain 50 ppm or greater PCBs by thoroughly draining the PCB contaminated oil from the compressor and refilling the compressor with non-PCB lubricating oil.

After the initial decontamination, each compressor still found to contain 50 ppm or greater PCBs, as determined in accordance with Part 7, shall be decontaminated within one hundred and twenty (120) days of the date of Respondent's receipt of the laboratory report indicating such PCB levels in the subject compressor. All PCBs removed during decontamination operations shall be handled, stored, and disposed of in accordance with the PCB Rule.

4. Assessment of Decontamination: Respondent shall sample and test oil from each compressor decontaminated in accordance with Part 4 above after the unit has been in operation for a minimum of sixty (60) days after decontamination.

5. Determination of Compliance: If after a minimum of sixty (60) days of operation PCB levels remain below 50 ppm, each compressor shall be tested again after six (6) months of operation. If after six (6) months of operation since the last decontamination, PCB levels remain below 50 ppm, units shall be considered to be in compliance as stated in Part 1.

6. Additional Decontamination: If results of testing after decontamination and sixty (60) days or six (6) months of operation show PCB levels of 50 ppm or greater, the compressor(s) shall be decontaminated again in accordance with Part 4. Parts 4 through 7 shall be repeated until each compressor is deemed to be in final compliance.

Timetable

Louisiana Western agrees to comply with this Agreement within the time frames summarized below. Times in the following schedule are times from the effective date of this Agreement and all days referred to in this Agreement are calendar days.

- | | |
|----------------------------|---|
| 1. Complete Sampling Plan: | Thirty (30) days |
| 2. Initial Testing: | Thirty (30) days or on the basis of tests conducted within the six (6) months prior to the effective date of this Agreement |

3. Decontaminate Compressors: One hundred and twenty (120) days
4. Assess Decontamination: After a minimum of sixty (60) days of operation, and after six (6) months of operation when sixty (60) day result is less than 50 ppm
5. Additional Decontamination: Implemented within one hundred and twenty (120) days of test result showing PCB concentrations of 50 ppm or greater
6. Reports:
 - o Initial Report Sixty (60) days
 - o Status reports Every one hundred and twenty (120) days after previous report.
 - o Final compliance report Thirty (30) days after final compliance is achieved for all units.
7. Final Compliance Target Date: Eighteen (18) months

Monitoring

Louisiana Western shall prepare an initial report including the Sampling Plan developed under Part 3, initial compressor PCB levels as determined through testing conducted in accordance with Part 2, and a tentative compressor decontamination schedule. The initial report shall be submitted to EPA within sixty (60) days of the date of this Agreement.

Louisiana Western shall also provide EPA with periodic status reports on the progress of this decontamination program as set forth below. Each status report shall contain: (a) a list of testing results; (b) the date each compressor subject to this program was decontaminated; (c) the amount of PCB liquid resulting from decontamination procedures which was stored and/or disposed of;

(d) the location of the storage and/or disposal facility or facilities;
(e) the amount of non-PCB liquids added to each compressor, and (f)
other pertinent information which will allow the Agency to evaluate
the progress of decontamination activities.

These status reports shall be sent to EPA every one hundred
and twenty (120) days until final compliance is achieved. The
final report should indicate that all compressors subject to this
agreement contain PCB concentrations of less than 50 ppm after
being in operation for a minimum of six (6) months subsequent to
the last decontamination. Reports shall be sent to:

A. E. Conroy II, Director
Compliance Monitoring Staff
Office of Pesticides and Toxic Substances
U. S. EPA EN-342
401 M Street, S.W.
Washington, D.C. 20460

Inspectors from EPA may visit Louisiana Western facilities
at any time to exercise the Agency's rights under section 11 of
TSCA and to inspect facilities and records to determine compliance
with this consent agreement.

Notification of Technical or Operational Difficulties:

If technical or operational difficulties will make it impos-
sible for Louisiana Western to meet any of the deadlines in the
Compliance Schedule, Louisiana Western will immediately notify EPA.

Technical Assistance

EPA shall provide reasonable technical assistance to Louisiana
Western on questions concerning such matters as sampling and analytical
procedures, and acceptable disposal options, for the purpose of
complying with this Agreement.

Amendments

Upon mutual consent of EPA and Louisiana Western, this Agreement may be amended at any time to modify or add technical and operational requirements (such as, but not limited to, deadline modifications necessitated by technical or operational difficulties) for the purpose of achieving compliance by Louisiana Western with the PCB rule. Any changes and/or amendments to this Agreement shall be incorporated into this Agreement when the amendment(s) have been signed by authorized representatives of EPA and Respondent.

If after complying with the schedule set forth on pp. 5 and 6 (or any subsequently agreed to schedules) of this Agreement, Louisiana Western finds that gas pipeline compressors still contain concentrations of 50 ppm or greater PCBs on the final compliance target date, EPA and Louisiana Western will evaluate options and select one for resolving this problem. That approach, including an agreed upon revised Compliance Schedule, will be incorporated into this Agreement which shall remain in effect until final compliance is achieved.

Enforcement

While this agreement is in effect, EPA shall not initiate additional enforcement action against Louisiana Western for use of those gas pipeline compressors which are the subject of this Agreement and which may contain 50 ppm or greater PCBs. In the event that Louisiana Western fails to meet the requirements of this agreement, EPA may issue a Notice of Reinstatement of Penalty nullifying this Agreement and reinstating the penalty proposed in the Complaint and Assessed by the Final Order.

This agreement does not insulate Louisiana Western from compliance monitoring and enforcement actions for TSCA violations not addressed by this Agreement nor from enforcement actions under other laws administered by EPA, nor under laws administered by state or local environmental authorities.

This agreement does not limit or affect the rights of the Louisiana Western or the United States as against any third parties.

Dispute Resolution

Should disputes arise between Louisiana Western and EPA concerning compliance with the agreement, the parties may resolve the dispute by arbitration. EPA and the Respondent may submit disputes of technical issues to Dr. Alpha Romeo of the Tulane University Electric Engineering Department for arbitration.

Quality Assurance

The laboratory performing analysis of the samples will participate in the Southeastern Regional PCB Quality Assurance Program administered by the Southeastern Chemists Society.

Confidentiality of Documents

The Louisiana Western may claim that any reports submitted to EPA are confidential business information. The Louisiana Western waives this right.

Louisiana Western Corporation
719 S. Carrollton Avenue
New Orleans, Louisiana 71301

RE: Remittance Order

Dear Mr. :

This remittance order is issued pursuant to section 15(a)(2)(C) of the Toxic Substances Control (TSCA), which permits the Administrator to "compromise, modify, or remit, with or without conditions, any civil penalty."

On July 6, 1983, Louisiana Western was assessed by final order a penalty of \$158,800. On July 6, 1983, Louisiana Western and EPA entered into a remittance agreement under which EPA agreed to remit \$158,800 of the penalty on condition that Louisiana Western performs the activities described in the agreement.

On May 2, 1984, EPA determined that Louisiana Western met all the conditions for remittance. By completion of these conditions, LWC has fully satisfied its obligations pursuant to the Consent Agreement and Final Order dated July 6, 1983. The Agency therefore remits \$158,800 the penalty.

William D. Ruckelshaus*
Administrator

*or delegate

Louisiana Western
719 S. Carrollton Avenue
New Orleans, Louisiana 71301

RE: Nonremittance Order

Dear Mr. :

This nonremittance order is issued pursuant to section 16(a)(2)(C) of the Toxic Substances Control Act (TSCA) which permits the Administrator to "compromise, modify or remit, with or without conditions, any civil penalty."

On July 6, 1982, Louisiana Western was assessed by consent order a penalty of \$158,800. On July 6, 1983, Louisiana Western and EPA entered into a remittance agreement under which EPA agreed to remit \$158,800 of the penalty on condition that Louisiana Western performed the activities referenced in the agreement.

On May 2, 1983, EPA determined that Louisiana Western has not met all the conditions for remittance. Specifically, Louisiana Western has fallen six weeks behind its interim deadlines in the Compliance Program and Schedule and has not notified the Agency of any technical or operational difficulties.

The Agency, therefore, will not remit any portion of the penalty. The deferred amount of the penalty, \$158,800 is due in sixty days. Payment may be made by certified check payable to the United States of America to the Hearing Clerk (A-101), Environmental Protection Agency, Washington, D.C. 20460.

William D. Ruckelshaus, Administrator
Environmental Protection Agency

APPENDIX C

Penalty Remittance Worksheet
Supplement to Penalty Calculation

_____ Assessed penalty [justification]

_____ Amount due immediately

_____ Amount deferred

_____ Cost of compliance

_____ Cost of additional conditions

_____ Total Cost of Performance under CPS

_____ Amount remitted at the end of the deferral period

_____ Total amount paid to the Agency

APPENDIX D
CPS Monitoring Sheet

Performance Requirement	Date Due	Date Completed	Performance Evaluation
Submit Sampling Plan to the Agency for	9/3/82	9/3/82	Plan was satisfactory; it listed ten facilities in four states and a realistic plan for sampling.
Initial Testing	9/3/82	9/9/82	Testing reports were six days late but otherwise satisfactory. The six days late will have no major impact on the CPS.
Decontaminate Compressors	12/3/83	12/17/83	Respondent reported that an unseasonable ice storm had isolated facility in Kentucky causing the delay. Performance was satisfactory. Other deadlines will not slip as a result of this delay.
Assess Decontamination	2/3/83 additional dates may be be scheduled		
Interim Reports Schedule	10/3/82 2/3/83 6/3/83	10/3/83	Work progressing.
Final Compliance Target Date	6/30/83		

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TRANSMITTAL

Classification Number TN: 350 24-1
Approval Date: 01/31/2017

EPA Delegation

1. **PURPOSE.** The Office of Enforcement and Compliance Assurance revised Delegation of Authority 24-1 Reduction and Extension of the Minimum Environmental Impact Statement Review Periods dtd 05/11/94 Administrative Update **01/31/2017**.

2. **EXPLANATION.**

Adm updated magic language as a result of the Delegations Workgroup Phase 2 reviews dtd **01/18/2017**.

OECA received an approved reorganization effective May, 1994, and various delegations were administratively updated to reflect these changes. **05/11/1994**

3. **ARCHIVAL HISTORY**

Original Approval

EPA Delegation 24-1 dtd 05/11/1994

Most Recent Revision

EPA Delegation 24-1 dtd 05/11/1994 adm chg. 01/31/2017



*Deborah Ward Beard
Central Directives Officer
Office of Human Resources*

(Agency Directives are also available at <http://intranet.epa.gov/mpolicy/>)

Office of Enforcement and Compliance Assurance

MEMORANDUM

SUBJECT: Temporary Delegation for Administrative Enforcement and Information Gathering Pursuant to the Mercury-Containing And Rechargeable Battery Management Act, 42 U.S.C. §§ 14301-36, and 40 C.F.R. Part 22

TO: Sylvia K. Lowrance, Acting Assistant Administrator
Office of Enforcement and Compliance Assurance

Pursuant to Sections 5 and 6 of the Mercury-Containing And Rechargeable Battery Management Act, 42 U.S.C. §§ 14301-36, and 40 C.F.R. Part 22, you are hereby delegated the following authorities:

Section 5

- a. To make determinations of violations of the Act; to issue warning letters or other notices; to file administrative complaints and orders against alleged violators of the Act for the purpose of proposing civil penalties, requiring compliance, or both, as provided for in the Act; and to negotiate and sign consent agreements memorializing the settlements between the Agency and respondents.
- b. To represent the Agency in administrative enforcement actions for civil penalties and injunctive relief conducted under the Mercury-Containing And Rechargeable Battery Management Act.
- c. To negotiate consent agreements between the Agency and respondents resulting from such enforcement actions; to initiate an appeal from an administrative determination; and to represent the Agency in such appeals.
- d. To sign consent agreements between the Agency and respondents resulting from such enforcement actions.
- e. To issue consent orders memorializing settlements between the Agency and respondents resulting from administrative enforcement actions under the Mercury Containing And Rechargeable Battery Management Act.
- f. To issue final orders assessing penalties or requiring compliance, or both, under the Mercury-Containing And Rechargeable Battery Management Act.

- g. To issue subpoenas for the attendance and testimony of witnesses, and for production of documents, papers, etc.

Section 6

- h. To inspect any establishment, facility or other premises in which records or reports in the possession of a person that is required to carry out the objectives of this Act are held. Any such inspection shall be conducted in accordance with Section 6 of the Act.
- i. To request the Department of Justice to obtain and execute warrants for the purpose of performing inspections and information gathering.
- j. To carry out or require the carrying out of any other inspection and information gathering activities authorized by the Act.
- k. To designate representatives of the Administrator to perform the functions in subparagraphs h, i, and j, above.

This temporary delegation of authority will remain in effect until December 31, 2001, unless extended or superseded by a subsequent delegation(s). This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Act. These authorities may be redelegated to the Division Director level, or equivalent, and may not be redelegated further.

Christine T. Whitman



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 10 2012

MEMORANDUM

SUBJECT: Approval for a One-Time Delegation of Authority to Respond to the Petition from Natural Resources Defense Council about Secondary-Treatment Nutrient Removal

FROM: Lisa P. Jackson

TO: Deputy Assistant Administrator
Office of Water

I hereby delegate to the deputy assistant administrator for the Office of Water the one-time delegation of authority to respond to the petition from the Natural Resources Defense Council requesting that the U.S. Environmental Protection Agency publish updated information about secondary-treatment nutrient-removal efficiency and add technology-based nutrient limits to the secondary-treatment standards.

1. **AUTHORITY.** To respond to the petition submitted to the U.S. Environmental Protection Agency in November 2007 by the Natural Resources Defense Council and 10 other organizations requesting that the EPA publish updated information about secondary treatment removal efficiency and add technology-based nutrient limits to the existing secondary-treatment standards under the Clean Water Act.
2. **TO WHOM DELEGATED.** The deputy assistant administrator for the Office of Water.
3. **LIMITATIONS.** This delegation is limited to the purposes stated above and may be exercised only within the limitations of the Clean Water Act.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.** None



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 6 2012

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

MEMORANDUM

SUBJECT: Request for a One-Time Delegation of Authority to Respond to the Petition Requesting that the U.S. Environmental Protection Agency Publish Updated Information about Secondary Treatment Nutrient Removal Efficiency and Add Technology-Based Nutrient Limits to the Secondary Treatment Standards
ACTION MEMORANDUM

FROM: Craig E. Hooks, Assistant Administrator *Craig E. Hooks*

TO: Lisa P. Jackson
Administrator

Issue:

The purpose of this memorandum is to request a one-time delegation of authority to the deputy assistant administrator for the Office of Water to respond to the petition that was filed by the Natural Resources Defense Council and ten other organizations requesting that the U.S. Environmental Protection Agency publish updated information about secondary treatment nutrient removal efficiency and add technology-based nutrient limits to the secondary treatment standards. The acting assistant administrator is recused from responding to this petition.

Background:

On November 27, 2007, NRDC and ten other organizations petitioned the EPA to publish updated information about secondary treatment nutrient removal efficiency and add technology-based nutrient limits to the secondary treatment standards.

NRDC's petition asserts that the agency has not fulfilled its duty under Clean Water Act Section 304(d)(1) to publish from "time-to-time" information on the "degree of effluent reduction attainable through the application of secondary treatment," in terms of the amounts of pollutants and their chemical, physical, and biological characteristics.

NRDC's petition also requests that the agency add generally applicable technology-based nitrogen and phosphorus limitations to secondary treatment regulations for publicly owned treatment works.

In April 2012, because the agency had not yet responded to the petition, NRDC filed suit in federal district court asking the court to order the agency to respond by a date certain. The agency and the petitioner have agreed to stay the litigation based on the agency's representation to the court that it

expects to respond no later than December 14, 2012. This delegation will help the agency meet its stated intention to respond to the petition by that date.

Review and Analysis:

The Office of Human Resources determined that the one-time delegation of authority does not require an agencywide clearance review. Per OHR directive rules, proposed one-time delegations of authority do not require agencywide review since these delegations are in effect for a limited duration associated with a single activity or case and do not automatically renew or apply to other cases without being submitted for a new approval. The Office of General Counsel concurred with this request.

Recommendation:

I recommend approval of the attached one-time delegation of authority to respond to the petition that was filed by the Natural Resources Defense Council and ten other organizations requesting that the EPA publish updated information about secondary treatment nutrient removal efficiency and add technology-based nutrient limits to the secondary treatment standards.

Attachment



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP - 7 2012

MEMORANDUM

SUBJECT: Approval for a Temporary Delegation of Authority to Establish a Valid One-Hour Primary Standard Design Value for the National Ambient Air Quality Standard for Sulfur Dioxide from Incomplete Monitor Data

FROM: Lisa P. Jackson

TO: Karl Brooks, Region 7 Administrator

I hereby grant you temporary delegation of authority for the Office of Air and Radiation to establish a valid design value based upon incomplete data from the Musser Park air-quality monitor (AQS ID 191390030) in Muscatine County, Iowa, for the purpose of implementing the 2010 one-hour primary sulfur dioxide National Ambient Air Quality Standard.

1. **AUTHORITY.** To take all necessary actions under 40 Code of Federal Regulations part 50, appendix T, section 3(d), to consider additional factors described in that section, in determining whether to use incomplete data to establish a design value for the Musser Park air-quality monitor (AQS ID 191390030) in Muscatine County, Iowa, for the purpose of implementing the 2010 one-hour primary sulfur dioxide NAAQS.
2. **TO WHOM DELEGATED.** Region 7 Administrator.
3. **LIMITATIONS.** This authority is limited to the determination of a design value for the Musser Park air-quality monitor in conjunction with the initial designation of Muscatine County, Iowa, with respect to the one-hour primary NAAQS for sulfur dioxide, in accordance with the provisions of Section 107(d) of the Clean Air Act.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 CFR part 50, appendix T, section 3(d)
 - b. Delegation 7-40



Temporary Delegation of Authority

May 11, 2010

MEMORANDUM

SUBJECT: Temporary Delegation of Authority to the Regional Administrator of Region 10 to Approve Grants, Cooperative Agreements and other Funding Mechanisms related to the FY 2009 Puget Sound Geographic Programs on Behalf of EPA

TO: Dennis J. McLerran
Regional Administrator, Region 10

The Regional Administrator of Region 10 is hereby delegated authority under the Omnibus Appropriations (Act), 2009, Pub. L. 111-8, to approve grants, cooperative agreements, and/or interagency agreements with governmental entities, nonprofit organizations, institutions, and individuals on behalf of EPA in furtherance of Puget Sound Geographical programs appropriations. The Puget Sound 2009 Geographical programs appropriations are provided in conjunction with the Clean Water Act for development and implementation of programs that will improve water quality, air quality, and minimize the adverse impacts of rapid development in the Puget Sound Basin, including activities linked to nonpoint sources or habitat restoration work. Funds shall be awarded competitively. This delegation is subject to the following limitations:

1. The funds appropriated are available for the specified purposes as described in the Act;
2. The approval authority provided by this Temporary Delegation may be further redelegated to the Director of the Office of Ecosystems, Tribal and Public Affairs, who shall consult with the Director of the Office of Water and Watersheds, and may be further redelegated to the Associate Director of the Office of Ecosystems, Tribal and Public Affairs, who shall also consult with the Director of the Office of Water and Watersheds, and not redelegated further.
3. Any grant agreement and other funding mechanisms, including interagency agreements, described above may be awarded and administered by Region 10 under Regional procedures implementing Delegation 1-14-A, Assistance Agreements and Delegation 1-11, Interagency Agreements.

4. This Temporary Delegation of Authority will remain in effect for a period of one year from the date of the delegation, unless extended by a subsequent delegation.
5. This Temporary Delegation is limited to the purposes stated above and must be exercised in accordance with applicable laws, regulations, and Agency policies and procedures.

A small, stylized signature icon consisting of a square box with a bold 'S' inside.

Lisa P. Jackson